

PLANNING COMMISSION

MEETING OF

OCTOBER 18, 2001

City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

5:15 PM

COMMISSIONERS BRIEFING:

PRESENT:

Craig Galati - Chairman
Richard Truesdell - Vice Chairman
Michael Buckley
Steven Evans
Byron Goynes
Laura McSwain
Stephen Quinn

STAFF PRESENT:

Robert Genzer - Planning & Development Dept.
Chris Knight - Planning & Development Dept.
John Koswan - Planning & Development Dept.
Chris Glore - Planning & Development Dept.
Joel McCulloch - Planning & Development Dept.
Kyle Walton - Planning & Development Dept.
Scott Albright - Planning & Development Dept.
Laura Martin - Planning & Development Dept.
Daphnee Legarza - Public Works
Rick Schroder - Public Works
Bryan Scott - City Attorney's Office
Deeny Araujo - City Clerk's Office
Linda Owens - City Clerk's Office

Joel McCulloch, Planning and Development Department, called the Briefing to order at 5:35 P.M.

Item No. A-4, TM-0041-01:

Mr. McCulloch requested this Tentative Map be pulled off the Consent portion of the agenda and discussed separately.

Item No. B-1, TM-0033-01:

Mr. McCulloch said staff is recommending denial of the waiver to the retaining wall height. If this is approved, it should be final action. This is a public hearing item because of a waiver being requested.

Item No. B-9, SD-0055-01:

Mr. McCulloch noted that on October 11, 2001 the applicant requested abeyance of this item until the November 15, 2001 Planning Commission meeting to apply for a related Variance for parking.

Item No. B-11, GPA-0036-01:

Mr. McCulloch said staff is recommending denial. Chris Glore, Planning and Development, added that changing the General Plan is premature.

Item No. B-15, GPA-038-01:

Mr. McCulloch advised that staff is recommending denial because this is incompatible with the surrounding area.

Item No. B-22, V-0069-01, and B-23, Z-0072-01(1):

Mr. McCulloch stated that on October 15, 2001 the applicant requested these items be held in abeyance until the November 1, 2001 Planning Commission meeting in order to re-notify the Variance request with the proper amount of open space. The General Plan Amendment and Rezoning can go forward. The applicant will be submitting a revised site plan that meets all the requirements.

Item No. B-24, GPA-0042-01:

Mr. McCulloch advised that on October 15, 2001 the applicant requested this item be held in abeyance until the November 15, 2001 Planning Commission meeting in order to hold a neighborhood meeting.

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ACTION

COMMISSIONERS BRIEFING:

Item No. B-25, GPA-0043-01, B-26, Z-0077-01, B-27, U-0134-01 and B-28, Z-0077-01(1):

Mr. McCulloch said that on October 17, 2001 the applicant requested these items be held in abeyance until the November 15, 2001 Planning Commission meeting in order to work with the neighbors.

Item No. B-29, GPA-0045-01:

Mr. McCulloch announced that on October 10, 2001 the applicant requested this item be held in abeyance until the January 24, 2002 Planning Commission meeting in order to see what the City Council decides on the City Trails Element.

Item No. B-32, Z-0070-01:

Daphnee Legarza, Public Works, said she will be revising one of the conditions. Chris Glore, Planning and Development, added that staff is recommending denial to RPD-6. There is a problem with the drainage.

Item No. B-37, Z-0074-01, and B-38, Z-0074-01(1):

Mr. McCulloch told the Commissioners that on October 16, 2001 the applicant requested these items be held in abeyance until the November 15, 2001 Planning Commission meeting in order to work out hydrological issues on the site. There are significant flood issues that need to be resolved.

Item No. B-41, Z-0078-01, and B-42, Z-0078-01(1):

Mr. McCulloch noted that on October 10, 2001 the applicant requested these items be held in abeyance until the November 1, 2001 Planning Commission meeting in order to provide staff with revised site plans. Staff would prefer the items be held to the November 15, 2001 meeting so staff would have more time to review the revised site plans.

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COMMISSIONERS BRIEFING:

Item No. B-43, U-0131-01:

Mr. McCulloch requested this item be held in abeyance until the November 15, 2001 Planning Commission meeting.

Item No. B-46, Z-0031-73(16):

Mr. McCulloch stated that on October 15, 2001 the applicant requested this item be held in abeyance until the November 1, 2001 Planning Commission meeting in order to revise the site plan. Staff requested this item be held until the November 15, 2001 meeting.

Item No. B-48, VAC-0032-01:

Chris Glore, Planning and Development, said the applicant would like to have this item pulled forward.

Item No. D-1, TA-0029-01:

Mr. McCulloch advised that this item should be heard prior to the Master Sign Plan for Neonopolis.

Item No. D-2, TA-0033-01, and D-2, TA-0034-01:

Mr. McCulloch said that staff is requesting these two Text Amendments be held in abeyance until the November 15, 2001 Planning Commission meeting in order to circulate them to other City departments.

Mr. McCulloch adjourned the Briefing at 5:58 P.M.

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ITEM

ACTION

6:00 PM

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

CALL TO ORDER:

6:08 P.M., Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada.

ROLL CALL:

| | |
|-------------------|---------|
| Craig Galati | Present |
| Chairman | |
| Richard Truesdell | Present |
| Vice Chairman | |
| Michael Buckley | Present |
| Steven Evans | Present |
| Byron Goynes | Present |
| Laura McSwain | Present |
| Stephen Quinn | Present |

ANNOUNCEMENT:

Satisfaction of Open Meeting Law Requirements.

This meeting has been properly noticed and posted at the following locations:

Clark County Government Center,
500 South Grand Central Parkway
Senior Citizens Center,
450 East Bonanza Road
Clark County Courthouse,
200 East Carson Avenue
Court Clerk's Office Bulletin Board,
City Hall Plaza
City Hall Plaza, Special Outside Posting
Bulletin Board

MINUTES:

Approval of the minutes of the September 20, 2001 Planning Commission meeting.

CHAIRMAN GALATI called the meeting to order at 6:08 P.M.

Boy Scout Troop 562 led the audience in the Pledge of Allegiance to earn their Citizen in the Community Merit Badge on their way to becoming Eagle Scouts.

STAFF PRESENT:

Robert Genzer, Director,
Planning and Development Department
Chris Knight, Deputy Director,
Planning and Development Department
John Koswan, Manager,
Planning and Development Department
Chris Glore, Supervisor,
Planning and Development Department
Joel McCulloch, Senior Planner,
Planning and Development Department
Kyle Walton, Senior Planner,
Planning and Development Department
Scott Albright, Senior Planner,
Planning and Development Department
Laura Martin, Planner II,
Planning and Development Department
Jody Donahue, Planner I,
Planning and Development Department
Daphnee Legarza, Project Engineer,
Public Works
Rick Schroder, Project Engineer,
Public Works
Bryan Scott, Deputy City Attorney,
City Attorney's Office
Deeny Araujo, Deputy City Clerk,
City Clerk's Office
Linda Owens, Deputy City Clerk,
City Clerk's Office

Mr. McCulloch announced this meeting is in compliance with the Open Meeting Law.

Truesdell -

APPROVED

Motion carried with Buckley abstaining due to the fact he did not attend the meeting.

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ITEM

ACTION

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

CHAIRMAN GALATI indicated the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

CHAIRMAN GALATI read the statement on the order of the items and limitations on persons wishing to be heard on an item.

CHAIRMAN GALATI noted the Rules of Conduct.

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ITEM

ACTION

A.

CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.
NT SO DESIRES.

A-1.

ABEYANCE - TM-0032-01 - IRON MOUNTAIN ESTATES SOUTH - ASTORIA IRON MOUNTAIN, LIMITED LIABILITY COMPANY ON BEHALF OF ASTORIA HOMES

Request for a Tentative Map for 109 lots on 19.99 acres adjacent to the southeast corner of Iron Mountain Road and Fort Apache Road (APN: 125-08-101-001), R-E (Residence Estates) Zone under Resolution of Intent to RPD-8 (Residential Planned Development - 8 Units Per Acre), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The City Council shall approve a Variance (V-0064-01) to allow 1.26 acres (54,749 sq.ft.) of open space where 1.8 acres (78,408 sq. ft.) is required for this site.

2. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

3. All development is subject to the conditions of City Departments and State Subdivision Statutes.

4. Street names must be provided in accord with the City's Street Naming Regulations.

CHAIRMAN GALATI stated the Consent items may be discussed if a Commission Member or Applicant so desires.

Truesdell -

APPROVED ITEM NOS. A-1, A-2, A-3, A-5 AND A-6, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining on Item Nos. A-1 and A-4 inasmuch as the applicant is a client of his law firm and McSwain abstaining on Item No. A-4 inasmuch as the applicant is a client of her firm.

CHAIRMAN GALATI stated this is a Consent item.

JOEL McCULLOCH, Planning and Development, requested Item No. A-4 be pulled off the Consent portion of the agenda.

This is final action.

(6:29 - 6:30) 1 - 690

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

**ABEYANCE - TM-0032-01 - IRON
MOUNTAIN ESTATES SOUTH - ASTORIA
IRON MOUNTAIN, LIMITED LIABILITY
COMPANY ON BEHALF OF ASTORIA HOMES**

APPROVED

5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

7. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City. (Public Works)

8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended

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ITEM

ACTION

**ABEYANCE - TM-0032-01 - IRON
MOUNTAIN ESTATES SOUTH - ASTORIA
IRON MOUNTAIN, LIMITED LIABILITY
COMPANY ON BEHALF OF ASTORIA HOMES**

APPROVED

by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site. This condition shall supersede Original Condition of Approval #6 of Z-106-00.

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ITEM

ACTION

**ABEYANCE - TM-0032-01 - IRON
MOUNTAIN ESTATES SOUTH - ASTORIA
IRON MOUNTAIN, LIMITED LIABILITY
COMPANY ON BEHALF OF ASTORIA HOMES**

APPROVED

9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

A-2.

TM-0031-01 - TWILIGHT NORTH - GRAND TETON & EL CAPITAN, LIMITED LIABILITY COMPANY ON BEHALF OF D.R. HORTON, INC.

Request for a Tentative Map for 103 lots on 17.24 acres adjacent to the northwest corner of Grand Teton Drive and El Capitan Way, R-E (Residence Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units Per Acre), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of Approval for Rezoning (Z-0023-01), Site Development Plan Review [Z-0023-01(1)] as required by the City of Las Vegas Planning and Development and Public Works Departments.

3. Street names must be provided in accord with the City's Street Naming Regulations.

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

6. All development shall be in conformance with the site plan, except as amended by conditions herein.

Truesdell -

APPROVED ITEM NOS. A-1, A-2, A-3, A-5 AND A-6, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining on Item Nos. A-1 and A-4 inasmuch as the applicant is a client of his law firm and McSwain abstaining on Item No. A-4 inasmuch as the applicant is a client of her firm.

CHAIRMAN GALATI stated this is a Consent item.

JOEL McCULLOCH, Planning and Development, requested Item No. A-4 be pulled off the Consent portion of the agenda.

This is final action.

(6:29 - 6:30) 1 - 690

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ITEM

ACTION

TM-0031-01 - TWILIGHT NORTH - GRAND TETON & EL CAPITAN, LIMITED LIABILITY COMPANY ON BEHALF OF D.R. HORTON, INC.

APPROVED

7. A transportation trail path shall be 10 feet wide and consist of Portland cement concrete, meeting the design standards of a sidewalk but designed to support a minimum load of 10,000 pounds. The cross slope shall have no more than a two percent cross slope directed toward the street or the direction of the drainage flow. The trail path shall be located five feet from the street curb, although this dimension may be varied to accommodate drainage and infrastructure installations. (A sidewalk shown located along the curb should be eliminated.)

8. An equestrian trail path shall be 7.5 feet wide and consist of chat, crushed granite with a high clay and/or sand content, or similar surface material. The path shall have a cross slope, with no more than a two percent grade across the trail path directed toward the street or the direction of drainage flow, and a longitudinal grade with no more than a two- to-one slope. The path shall be located 7.5 feet from the transportation trail path, five feet from an intervening minimum five-foot high fence, and five feet from the perimeter wall. These dimensions may be varied to accommodate drainage and infrastructure installations.

9. A five-foot high fence separating the equestrian path and transportation path should be provided and consist of a rigid polyvinyl chloride (PVC) resin compound with a high level of titanium dioxide pigment throughout the fence material.

10. Five-foot amenity zones shall be provided along both sides of the transportation trail path. The amenity zones should be provided with irrigation and landscaping with shade trees located 20 feet on center. This spacing may be varied to accommodate unique landscape features. Narrow, conical type trees should be planted between the equestrian and transportation trail paths.

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ACTION

TM-0031-01 - TWILIGHT NORTH - GRAND TETON & EL CAPITAN, LIMITED LIABILITY COMPANY ON BEHALF OF D.R. HORTON, INC.

APPROVED

11. No above or below ground utility installation shall be located within the trail that will in any way encroach upon the full use and enjoyment of the trail path.

12. An easement for use of the trail by the public should be provided.

13. The trail shall be maintained by a homeowners association.

Public Works

14. Site development to comply with all applicable Conditions of Approval for Zoning Z-23-01, Parcel Map PM-07-01, and all other subsequent site related actions.

15. Parcel Map PM-07-01 shall record prior to the recordation of a Final Map for this site.

16. Dedicate all appropriate right-of-way adjacent to this site required by Standard Drawings #201.1, 234.1, and 234.2.

17. Submit an application to vacate the excess right-of-way at the southwest corner of Ackerman and El Capitan Way prior to the recordation of a Final Map for this site.

18. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

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ITEM

ACTION

TM-0031-01 - TWILIGHT NORTH - GRAND TETON & EL CAPITAN, LIMITED LIABILITY COMPANY ON BEHALF OF D.R. HORTON, INC.

APPROVED

19. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map for this site, whichever may occur first, if allowed by the Planning Engineer.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

A-3.

**TM-0040-01 - RANCHO/LAKE MEAD, A
COMMERCIAL SUBDIVISION - WJD,
LIMITED LIABILITY COMPANY**

Request for a Tentative Map for 1 lot on 9.49 acres located south of Lake Mead Boulevard and west of Rancho Drive, C-2 (General Commercial) Zone, Ward 5 (Weekly).

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map, a new Tentative Map must be filed.

2. All development is subject to the conditions of City departments and State Subdivision Statutes.

3. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

4. City of Las Vegas Parcel Map PM-18-01 shall record prior to the recordation of a Final Map for this site.

5. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:

On-site sewers, 8-inches in diameter or larger, are public sewers within 20 foot wide dedicated public sewer easements.

Truesdell -

**APPROVED ITEM NOS. A-1, A-2, A-3, A-5 AND A-6,
SUBJECT TO STAFF'S CONDITIONS.**

Motion carried with Buckley abstaining on Item Nos. A-1 and A-4 inasmuch as the applicant is a client of his law firm and McSwain abstaining on Item No. A-4 inasmuch as the applicant is a client of her firm.

CHAIRMAN GALATI stated this is a Consent item.

JOEL McCULLOCH, Planning and Development, requested Item No. A-4 be pulled off the Consent portion of the agenda.

This is final action.

(6:29 - 6:30) 1 - 690

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ACTION

**TM-0040-01 - RANCHO/LAKE MEAD, A
COMMERCIAL SUBDIVISION - WJD,
LIMITED LIABILITY COMPANY**

APPROVED

On-site sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.

On-site sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.

6. The Final Map for this subdivision must show appropriate public street dedications in accordance with Standard Drawings #201.1 and #245.1 for dedicated right turn lanes and dual left turn lanes, and Standard Drawings #234.1, #234.2 and #234.3 for bus turnouts.

7. Site development to comply with all applicable Conditions of Approval for Z-0096-00.

8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ITEM

ACTION

A-4.

**TM-0041-01 - IRON MOUNTAIN RANCH
VILLAGE 7 - IRON MOUNTAIN RANCH
ALLIANCE, LIMITED LIABILITY COMPANY
ON BEHALF OF KB HOME NEVADA INC.**

Request for a Tentative Map for 260 lots on 40 acres adjacent to the northwest corner of the Decatur Boulevard and Horse Drive alignments, R-E (Residence Estates) Zone under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units Per Acre) proposed R-PD7 (Residential Planned Development - 7 Units Per Acre), Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. Submittal of a final subdivision map that depicts a minimum one-acre "pocket park" centrally located within the proposed subdivision.
2. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
3. All development shall conform to the Conditions of Approval for Rezoning (Z-0059-01), Site Development Plan Review [Z-0059-01(1)], and all subsequent site related actions, as required by the City of Las Vegas Planning and Development and Public Works Departments.
4. Street names must be provided in accord with the City's Street Naming Regulations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

TRUESDELL -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 1 AMENDED TO READ: "SUBMITTAL OF A FINAL MAP THAT IS IN CONFORMANCE WITH AN APPROVED TENTATIVE SUBDIVISION MAP."

Motion carried with Buckley abstaining inasmuch as KB Home Nevada, Inc. is a client of his law firm and McSwain abstaining inasmuch as her firm is bidding on work involving KB Home Nevada, Inc.

JEFFREY ARMSTRONG, VTN Nevada, 2727 South Rainbow Boulevard, requested Condition No. 1 be amended as follows: "Submittal of a Final Map that is in conformance with an approved Tentative Subdivision Map."

JOEL McCULLOCH, Planning and Development, agreed to amending Condition No. 1 as requested by the applicant.

This is final action.

(6:30 - 6:33) 1 - 730

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ITEM

ACTION

**TM-0041-01 - IRON MOUNTAIN RANCH
VILLAGE 7 - IRON MOUNTAIN RANCH
ALLIANCE, LIMITED LIABILITY COMPANY
ON BEHALF OF KB HOME NEVADA INC.**

APPROVED

6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

7. The Final Map for this subdivision must show appropriate public street dedications in accordance with Standard Drawings #201.1 and #245.1 for dedicated right turn lanes and dual left turn lanes, and Standard Drawings #234.1, #234.2 and #234.3 for bus turnouts.

8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

A-5.

TM-0042-01 - AVELLINO ESTATES - TORREY PINES TRUST ON BEHALF OF R.L. HOMES

Request for a Tentative Map FOR A 47 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 8.58 acres adjacent to the southeast corner of Torrey Pines Drive and La Madre Way (APN: 125-35-801-001), R-E (Residence Estates) Zone under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units Per Acre) Zone, Ward 6 (Mack).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All retaining wall heights shall be a maximum of four feet as required by the Las Vegas Subdivision Code [Section 18.08.110 (Table A)].
3. All development shall conform to the Conditions of Approval for Site Development Plan Review [Z-0047-01(1)].
4. Street names must be provided in accord with the City's Street Naming Regulations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.
6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Truesdell -

APPROVED ITEM NOS. A-1, A-2, A-3, A-5 AND A-6, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining on Item Nos. A-1 and A-4 inasmuch as the applicant is a client of his law firm and McSwain abstaining on Item No. A-4 inasmuch as the applicant is a client of her firm.

CHAIRMAN GALATI stated this is a Consent item.

JOEL McCULLOCH, Planning and Development, requested Item No. A-4 be pulled off the Consent portion of the agenda.

This is final action.

(6:29 - 6:30) 1 - 690

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ITEM

ACTION

TM-0042-01 - AVELLINO ESTATES - TORREY PINES TRUST ON BEHALF OF R.L. HOMES

Public Works

7. The Final Map for this subdivision must show appropriate public street dedications in accordance with Standard Drawings #201.1 and #245.1 for dedicated right turn lanes and dual left turn lanes, and Standard Drawings #234.1, #234.2 and #234.3 for bus turnouts.

8. Site development to comply with all applicable Conditions of Approval for Z-0047-01, Z-0047-01(1), and all other subsequent related actions.

9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

APPROVED

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ITEM

ACTION

A-6.

A-0071-01(A) - RON LISIEWSKI ET AL

Petition to Annex 0.9 acre of property generally located adjacent to the east side of Smithsonian Way, approximately 1195 feet north of Ann Road, APN: 125-25-410-008 and 021, Ward 6 (Mack).

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL

Truesdell -

APPROVED ITEM NOS. A-1, A-2, A-3, A-5 AND A-6, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining on Item Nos. A-1 and A-4 inasmuch as the applicant is a client of his law firm and McSwain abstaining on Item No. A-4 inasmuch as the applicant is a client of her firm.

CHAIRMAN GALATI stated this is a Consent item.

JOEL McCULLOCH, Planning and Development, requested Item No. A-4 be pulled off the Consent portion of the agenda.

To be forwarded to the City Council in Ordinance form.

(6:29 - 6:30) 1 - 690

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ITEM

ACTION

B.

PUBLIC HEARING ITEMS:

B-1.

ABEYANCE - PUBLIC HEARING NOTIFICATION - TM-0033-01 - IRON MOUNTAIN ESTATES WEST - ASTORIA HOMES

Request for a Tentative Map for 140 lots and a Waiver of the retaining wall height restriction to allow an 11.5 foot tall retaining wall where six (6) feet tall is the maximum allowed on 35.02 acres adjacent to northeast corner of Iron Mountain Road and Fort Apache Road (APN: 125-05-401-001, 125-05-402-001, 125-05-403-001 and 125-05-404-003), R-PD3 (Residential Planned Development - 3 Units per Acre) Zone and U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack).

NOTICES MAILED 184

APPROVALS 0

PROTESTS 1 (Speaker)

CONCERNS: 1 (Speaker)

STAFF RECOMMENDATION: DENIAL. If approved, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SD-0012-01) as required by the Planning and Development and Public Works Departments.

McSwain -

ABEYANCE TO THE NOVEMBER 1, 2001 PLANNING COMMISSION MEETING. (Applicant to work with staff on possible alternatives.)

Motion carried with Buckley abstaining inasmuch as Astoria Homes is a client of his law firm.

CHAIRMAN GALATI called this item forward after Item No. B-10.

JOEL McCULLOCH, Planning and Development, stated this Tentative Map was originally at the Planning Commission meeting in September, but it was renotified as a public hearing due to the request for a waiver of the retaining wall height. Staff recommended denial of the 11.5-foot tall retaining wall because it is excessive, inappropriate and other alternatives should be evaluated. Staff recommended denial of the application.

JEFFREY ARMSTRONG, VTN Nevada, 2727 South Rainbow Boulevard, explained that when the project was originally started this property was lower than five feet to the adjacent property. However, with the grading plane the property going from west to east is about 3% so there was a need for a 7-foot retaining wall along the eastern boundary. There is an existing wall along the eastern boundary from the adjacent development. In conjunction with the proposed wall makes it 11.5 feet. They are proposing 7 feet at the highest point along the property line going down to zero feet adjacent to Iron Mountain Road. The combination of the two walls is what is creating the 11.5-foot high wall. The wall is excessive in combination with the adjacent property, but on this site there is no other option in regard to the drainage.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared as a concerned citizen. A major wash goes through this property. He wondered if this wall would be structurally sound due to the wash.

CAROL LeDUC, 7575 Rome Boulevard, objected to the waiver because she could not fathom an 11.5-foot tall wall next to a house.

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**ABEYANCE - PUBLIC HEARING
NOTIFICATION - TM-0033-01 - IRON
MOUNTAIN ESTATES WEST - ASTORIA
HOMES**

3. Street names must be provided in accord with the City's Street Naming Regulations.

4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. The CC&R's for the Homeowner's Association shall be submitted to and approved by the City Attorney's Office.

7. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER TRUESDELL felt an 11.5-foot high wall is too high. He wondered if the lots along the east side could be terraced down.

MR. ARMSTRONG said the wall is 7 feet, one wall is 6 feet and the other wall is 7 feet.

COMMISSIONER McSWAIN asked if the property to the east is developed. MR. ARMSTRONG explained what lots are developed. She then asked if a wall with landscaping could be designed to make it more appealing and using terracing. MR. ARMSTRONG said the applicant would be open to redesigning the area around the wall.

DAPHNEE LEGARZA, Public Works, said the only concern that Public Works would have is that the terracing would be on the applicant's property, maintained by them, and the residents would not see the landscaping as it would be behind their block wall. However, there would be a question of who would maintain the landscaping between the terraced walls.

CHRIS GLORE, Planning and Development, added that the general solution for two retaining block walls in close proximity is that they be divided by a terrace of a minimum of a 5-foot width with landscaping regardless of who would maintain it. Planning and Development has not had any input into the drainage, but there should be an evaluation of some other solutions.

MS. LEGARZA felt there could be other drainage options.

CHRIS GRUBBS, VTN Nevada, 2727 South Rainbow Boulevard, explained how the property would be drained. There are not a lot of options. The back yards of the homes will not be looking into this project. Astoria Homes is the developer on both sides of the wall.

ROBERT GENZER, Planning and Development, said that even though the applicant has met with Public Works, the statute that this is under would make it administered by the Planning and Development Department.

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ACTION

**ABEYANCE - PUBLIC HEARING
NOTIFICATION - TM-0033-01 - IRON
MOUNTAIN ESTATES WEST - ASTORIA
HOMES**

COMMISSIONER EVANS felt the applicant should rework this project, but not at this meeting.

CHAIRMAN GALATI thought that if this property is terraced, etc. that it could be deeded to the other lots and that would resolve the maintenance issue, but that could not happen at this meeting. Perhaps this should be held so the applicant can meet with staff and rework the project.

To be heard by the Planning Commission on November 1, 2001.

(6:57 - 7:14) 1 - 1680

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-2.

ABEYANCE - Z-0033-01 - PARDEE CONSTRUCTION COMPANY NEVADA

Request for a Rezoning FROM: U (Undeveloped) [L (Low Density Residential) General Plan Designation] TO: R-PD5 (Residential Planned Development – 5 Units Per Acre) on approximately 10 Acres on the southwest corner of Farm Road and Teepee Lane (APN'S: 125-18-701-004, 009 through 011), PROPOSED USE: Single Family Residential, Ward 6 (Mack).

NOTICES MAILED 112 [9/06/01 PC]
112 [6/28/01 PC]
112 [6/14/01 PC]
112 [Mailed with Z-0032-01 and Z-0034-01 5/24/01 PC]

APPROVALS 0

PROTESTS 1 (Speaker)

CONCERNS 1 (Speaker)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to approval of a Tentative Map, issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate appropriate public right-of-way adjacent and internal to these sites concurrent with development of these sites. Final dedication will be determined upon submittal of individual site plans. Half-street dedications of less than 30 feet in width will not be accepted unless the developer provides proof of existing rights for the opposite side of the proposed street.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining inasmuch as Pardee Construction Company Nevada is a client of his law firm.

JOEL McCULLOCH, Planning and Development, stated this request conforms to the General Plan designation of Low Density Residential, which allows up to 5.5 dwelling units per acre. In addition, the Town Center residential and commercial developments will be directly adjacent to this property to the east. Staff recommended approval, subject to the conditions.

KLIF ANDREWS, Pardee Construction Company Nevada, 7220 Bermuda Road, said they have worked very hard with staff for the last six months to comply with the Town Center concept, which will become a blueprint for future developments.

CHAIRMAN GALATI declared the Public Hearing open.

TOM McGOWAN, Citizen of Las Vegas, appeared as a concerned citizen. He asked if there are any tree gratings in the landscaped areas. If so, what effort has been put forward for rodent, etc. control, particularly if there are promenades, pedestrian walkways or food venues nearby? In what area in Town Center is a Veterans Hospital and medical clinic?

TODD FARLOW, 240 North 19th Street, appeared in protest. He asked if Item Nos. B-2 and B-3 are located in Town Center. MR. McCULLOCH responded that they are outside of Town Center. MR. FARLOW said he would not object to eliminating the open space if this were in Town Center, but not outside of Town Center.

CAROL LeDUC, 7575 Rome Boulevard, appeared in protest. She wondered why the open space should be disallowed.

CHAIRMAN GALATI explained that these are a couple parcels in a larger development of which most of it is in Town Center. In Town Center the amenity zones are calculated as a part of the open space, but outside they don't count into the open space. Staff is trying to maintain a uniform design and neighborhood.

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ACTION

**ABEYANCE - Z-0033-01 - PARDEE
CONSTRUCTION COMPANY NEVADA**

4. Construct appropriate half-street improvements, including overpaving, adjacent and internal to these sites concurrent with development of these sites. Final half-street construction requirements will be determined upon submittal of individual site plans.

5. Provide a minimum of two lanes of paved, legal access to each site along a logical route concurrent with development of each site.

6. Extend public sewer to the west edge of this site in the Farm Road, Severance Lane and Elkhorn Road alignments to locations acceptable to the City Engineer concurrent with development of these parcels. Provide public sewer easements for public sewers not located within existing public street right-of-way prior to the issuance of any permits or recordation of any Final Map.

7. A Traffic Impact Analysis must be submitted to and approved prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for any site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or

ROBERT GENZER, Planning and Development, said the applicant is carrying the same theme outside of Town Center, but agreeing to an "in lieu of" fee to go into a public park facility outside of their development in order to make up the difference on the Variance.

CHAIRMAN GALATI declared the Public Hearing closed.

MR. ANDREWS said they do not plan to have tree grates as those are usually in more of an urban area. They are proposing a detached sidewalk street scene where there will be a 5 foot planted parkway, sidewalk and an additional 5 foot planted parkway with a wall behind.

CHRIS KNIGHT, Planning and Development, noted that the most appropriate areas for tree grates would be in more urbanized areas. In regard to the hospital facilities, there may be a hospital put in the northwest, but that would have to be done by a private investor.

NOTE: See Item Nos. B-3 and B-4 for related discussion.

To be heard by the City Council on December 5, 2001.

(7:14 - 7:29) 1 - 2412

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ITEM

ACTION

ABEYANCE - Z-0033-01 - PARDEE
CONSTRUCTION COMPANY NEVADA

APPROVED

concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for any site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map for this site, whichever may occur first, if allowed by the City Engineer.

9. The final layout of each development within the Planned Development Area shall be determined at the time of approval of individual Tentative Maps and/or Site Development Plan Reviews.

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ITEM

ACTION

B-3.

**ABEYANCE - V-0068-01 - PARDEE
CONSTRUCTION COMPANY**

Request for a Variance TO ALLOW ZERO SQUARE FEET OF OPEN SPACE WHERE 29,621 SQUARE FEET OF OPEN SPACE IS REQUIRED on property located adjacent to the west side of Tee Pee Lane, between Severance Lane and Farm Road (APN's: 125-18-701-004, 009, 010 & 011), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre), Ward 6 (Mack).

NOTICES MAILED 48 [10/04/01 PC]

APPROVALS 0

PROTESTS 2 (Speakers)

CONCERNS 1 (Speaker)

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0033-01) and Site Development Plan Review [Z-0033-01(1)].

2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. The applicant shall contribute an "in lieu of" fee in the amount of \$2,750 dollars per gross acre, to off-set the open space reduction, to the City of Las Vegas.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining inasmuch as Pardee Construction Company is a client of his law firm.

JOEL McCULLOCH, Planning and Development, stated there is evidence of extraordinary circumstances and that the overall project will be provided with a continuity of street and landscape design. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

KLIF ANDREWS, Pardee Construction Company Nevada,
7220 Bermuda Road

TOM McGOWAN, Citizen of Las Vegas

TODD FARLOW, 240 North 19th Street

CAROL LeDUC, 7575 Rome Boulevard

CHRIS KNIGHT, Planning and Development

ROBERT GENZER, Planning and Development

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-2 and B-4 for related discussion.

To be heard by the City Council on December 5, 2001.

(7:14 - 7:29) 1 - 2412

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ITEM

ACTION

B-4.

ABEYANCE - Z-0033-01(1) AND Z-0034-01(1)
- PARDEE CONSTRUCTION COMPANY

Request for a Site Development Plan Review FOR A PROPOSED 243-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 50.08 Acres on the south side of Farm Road, west of Fort Apache Road (APN's: 125-18-701-004 and 009 through 014; 125-18-702-001 through 003; 125-18-801-006 and 007), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] [Proposed R-PD5 (Residential Planned Development - 5 Units Per Acre)]; and U (Undeveloped) Zone [L-TC (Low Density Residential) General Plan Designation] under Resolution of Intent to T-C (Town Center), Ward 6 (Mack).

NOTICES MAILED 48 [09/06/01 PC]

APPROVALS 0

PROTESTS 2 (Speakers)

CONCERNS 1 (Speaker)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The City Council shall approve Rezoning (Z-0033-01) of the 10-acre western portion of the subject property to R-PD5 (Residential Planned Development – 5 Units per Acre), and shall approve a Variance (V-0068-01) to open space requirements for the same portion of the site.

2. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

3. No perimeter walls shall be allowed along any street that is 79 feet or less in width of street section, with the exception of corner lots.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining inasmuch as Pardee Construction Company is a client of his law firm.

JOEL McCULLOCH, Planning and Development, stated this residential development would be consistent with Title 19A and the Town Center design standards, with the exception of the open space requirements. The applicant requested a Variance to the open space requirement and staff recommended approval of that request. That request is within the allowable densities for this area of Town Center. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

KLIF ANDREWS, Pardee Construction Company Nevada,
7220 Bermuda Road

TOM McGOWAN, Citizen of Las Vegas

TODD FARLOW, 240 North 19th Street

CAROL LeDUC, 7575 Rome Boulevard

CHRIS KNIGHT, Planning and Development

ROBERT GENZER, Planning and Development

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-2 and B-3 for related discussion.

To be heard by the City Council on December 5, 2001.

(7:14 - 7:29) 1 - 2412

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ACTION

ABEYANCE - Z-0033-01(1) AND Z-0034-01(1)
- PARDEE CONSTRUCTION COMPANY

APPROVED

4. The setbacks for this development shall be a minimum of 18 feet to the face of the garage as measured from the back of sidewalk, 10 feet to side-loaded garages and/or the front of the house, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.

5. The Tentative Map shall depict the required 8-foot wide Town Center Arterial Trail along the Farm Road frontage east of Tee Pee Lane, if appropriate, for trail purposes in accordance with Map Six of the Trails Element of the Master Plan.

6. The site plan and landscape plan shall depict compliance with the Site Plan as submitted, including a 37-foot right-of way, and a 4-foot amenity zone and four-foot wide sidewalk on each side. The landscape plan shall also depict any required accent paving.

7. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

8. Air conditioning units shall not be mounted on rooftops.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

11. All City Code requirements and design standards of all City departments must be satisfied

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ABEYANCE - Z-0033-01(1) AND Z-0034-01(1)
- PARDEE CONSTRUCTION COMPANY

APPROVED

Public Works

12. In accordance with Chapter 18.12.110 of the Subdivision Code, this site plan shall be revised to eliminate the dead-end termination of any interior residential streets, which extend west of Tee Pee Lane, outside of the Town Center Residential Area. The Tentative Map for this site shall reflect such revisions.

13. Submit a Petition of Vacation for Chieftain Street south of Via Provenza Avenue and portions of Via Provenza Avenue west of Chieftain Street. Such Vacation shall be recorded prior to the issuance of any building or grading permits overlying the area to be vacated.

14. Dedicate, obtain dedication, or obtain roadway easement rights for the north half of Via Provenza Avenue, the south half of Solar Avenue and the east half of Chieftain Street adjacent to this site prior to the submittal of a Tentative Map for this site. Construct appropriate half-street improvements on Via Provenza, Solar Avenue and Chieftain Street, including sufficient paving over the centerlines to provide two-way traffic access concurrent with development of this site. If such dedication or easement rights cannot be procured for any reason, this site plan must be revised to eliminate the proposed half-streets.

15. Dedicate 40 feet of right-of-way adjacent to this site for Farm Road, 80 feet and 40 feet where appropriate for Tee Pee Lane, 80 feet and 40 feet where appropriate for Severance Lane, a 25 foot radius at the southeast and southwest corners of Farm Road and Tee Pee Lane, a 25 foot radius at the northeast corner of Tee Pee Lane and Solar Avenue and appropriate radii for the entire proposed roundabout.

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ACTION

ABEYANCE - Z-0033-01(1) AND Z-0034-01(1)
- PARDEE CONSTRUCTION COMPANY

APPROVED

16. Construct full-width street improvements where appropriate on Tee Pee Lane, Severance Lane and the proposed Roundabout; also, construct half-street improvements including appropriate overpaving (if legally able) on Farm Road, Tee Pee Lane and Severance Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Four-foot sidewalks and four foot amenity zones shall be allowed on all interior public streets, provided that all street furniture is placed outside the sidewalk area. Five-foot sidewalks and five foot amenity zones shall be allowed on all Town Center Residential Collector Streets.

17. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed street layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

18. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

19. Site development to comply with the Town Center Development Standards, all applicable Conditions of Approval for Z-33-01, Z-34-01 and all other subsequent site-related actions.

20. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

21. The applicant shall contribute an "in lieu of" fee in the amount of \$2,750 dollars per gross acre, for the acreage outside of TownCenter, to the City of Las Vegas.

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ITEM

ACTION

B-5.

ABEYANCE - MSP-0009-01 - WORLD ENTERTAINMENT CENTERS, LIMITED LIABILITY COMPANY

Request for a Master Sign Plan FOR NEONOPOLIS at 450 Fremont Street (APN: 139-34-513-003), C-2 (General Commercial) Zone, Ward 5 (Weekly).

NOTICES MAILED 92 [Mailed with U-0125-01 09/20/01 PC]

APPROVALS 0

PROTESTS 1 (Speaker)

STAFF RECOMMENDATION: NONE. If approved, subject to:

Planning and Development

1. A maximum of 9,915 square feet of off-premise advertising signage area shall be allowed on the building, including wall-mounted and rooftop signage.
2. A minimum of one-third (33%) of the total allowable off-premise signage area shall be animated or electronic.
3. All signage shall have proper permits obtained through the Building and Safety Department.
4. Site development to comply with all applicable Conditions of Approval for the Site Development Plan Review (SD-0003-98) and all other subsequent site-related actions as required by the Planning and Development Department.
5. Any significant changes or alterations to this Master Sign Plan, as determined by staff, shall require an application for a new Master Sign Plan.

Buckley - STRICKEN ITEM NOS. B-5 AND B-6 (Application not necessary) Unanimous

CHAIRMAN GALATI brought this item forward after Item No. D-1.

JOEL McCULLOCH, Planning and Development, stated the majority of the Master Sign Plan addresses the off-premise signage. The only mention of the on-premise signage under the Master Sign Plan is a condition that was to be added which is that 45% of the on-premise signage bands around the building will be utilized for on-premise signage.

CHRIS GLORE, Planning and Development, said that because of the percentage of the on-premise sign area, which is a percentage of the building phase, it is below the maximum allowed in C-2 (General Commercial). They would not need approval of a Master Sign Plan, but the signage could be approved by over-the-counter permits.

GENE SISCO, Development by Design, 116 B North 3rd Street, appeared to represent World Entertainment Centers, and pointed out that some of the signs are close together.

MR. GLORE responded that the separation distance provisions regarding the five feet dealt specifically with the proposed off-premise sign area because the code has a provision of no closer than 300 feet for off-premise signs. If the signs remain on-premise, there is no specific limitation on the distance separation.

MR. McCULLOCH said signs are allowed to be projecting up to 12 inches beyond the top or sides of the building. He noted the standards in a C-2 zoning for wall signs are:

- A. 20% of the building elevation to be filled with signs.
- B. No limit to the number of signs allowed.
- C. Allowed to project 12 inches beyond the top or sides of the building.
- D. Allowed to be illuminated.
- E. Obtain a sign permit.

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**ABEYANCE - MSP-0009-01 - WORLD
ENTERTAINMENT CENTERS, LIMITED
LIABILITY COMPANY**

COMMISSIONER TRUESDELL felt the on-premise component needs to be addressed so that when the applicant submits plans over the counter Variances and Waivers would not be required.

MR. GLORE noted that the billboards on the rooftop were to be part of the request for off-premise signage and that they were to be used for both on- and off-premise signage. If the roof mounted signs were to be exclusively on-premise signage they would need a Variance for the height of the signs above the top of the building.

MR. McCULLOCH said the only signs he is not comfortable with are those that depict Neonopolis on the roof. They would be taller than what is allowed and need a Variance.

DEPUTY CITY ATTORNEY BRYAN SCOTT thought the better method would be to strike this item and have the plan approved over the counter.

MR. McCULLOCH clarified that there is no specific Master Sign Plan for this project. It was based in the Text Amendment that was tabled. Most of the signs would be able to be approved over the counter except for the Neonopolis signs on top of the building. The applicant will have to apply for a Variance for those signs.

COMMISSIONER TRUESDELL asked about approval of the historic signs.

MR. GLORE said there was a conceptual sign package submitted for that sign review, but no Master Sign Plan approved as part of that application and representations were made at that time that the signs would be coming back to the Planning Commission for a final review. The construction of Neonopolis predates the requirement for a Master Sign Plan. The applicant is proposing to do a roof top on-premise sign. There will be a Variance for that sign at the November 15, 2001 meeting. Perhaps this should be held for two weeks to allow time for the applicant to meet with staff.

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ABEYANCE - MSP-0009-01 - WORLD
ENTERTAINMENT CENTERS, LIMITED
LIABILITY COMPANY

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, said the former Mayor and City Council promised these people that the City would assist them if they would make this investment. Now they are required to go through all the red tape.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER BUCKLEY felt that the on-premise signs do not require approvals so Item Nos. B-5 and B-6 do not need to go forward. A Variance for the signs is a separate issue.

NOTE: See Item No. B-6 for related discussion.

This is final action.

(7:55 - 8:16) 2 - 540

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ITEM

ACTION

B-6.

ABEYANCE - U-0125-01 - WORLD ENTERTAINMENT CENTERS, LIMITED LIABILITY COMPANY

Request for a Special Use Permit FOR OFF-PREMISE ADVERTISING at 450 Fremont Street (APN: 139-34-513-003), C-2 (General Commercial) Zone, Ward 5 (Weekly).

NOTICES MAILED 92 [Mailed with MSP-0009-01 09/20/01 PC]

APPROVALS 0

PROTESTS 1 (Speaker)

STAFF RECOMMENDATION: NONE. If approved, subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.

2. If the existing off-premise advertising signs are removed, this Special Use Permit shall be expunged and a new off-premise advertising sign shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

Buckley - STRICKEN ITEM NOS. B-5 AND B-6 (Application not necessary) Unanimous

CHAIRMAN GALATI declared the Public Hearing open.

APPEARANCES:

JOEL McCULLOCH, Planning and Development
CHRIS GLORE, Planning and Development
GENE SISCO, Development by Design, 116 B North 3rd Street
BRYAN SCOTT, Deputy City Attorney
TODD FARLOW, 240 North 19th Street

CHAIRMAN GALAI declared the Public Hearing closed.

NOTE: See Item No. B-5 for related discussion.

This is final action.

(7:55 - 8:16) 2 - 540

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STRICKEN

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

4. All development shall be in conformance with the Site Development plan and elevations.

5. All City Code requirements and design standards of all City departments must be satisfied.

6. Submit an Encroachment Agreement for all private improvements located in the 4th Street and Ogden Avenue public right-of-way adjacent to this site prior to occupancy of this site.

7. Submit an application for an Occupancy Permit for all private improvements in the Las Vegas Boulevard public right-of-way adjacent to this site prior to occupancy of this site.

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ITEM

ACTION

B-7.

ABEYANCE - U-0126-01 - WHISPERING SANDS, LIMITED LIABILITY COMPANY

Request for a Special Use Permit FOR GUEST HOUSES/CASITAS on 8.58 acres generally located south of Whispering Sands Drive and east of Leon Avenue (APN: 125-13-214-001 through 022), R-1 (Single Family Residential) Zone, Ward 6 (Mack).

NOTICES MAILED 184 [09/20/01 PC]

APPROVALS 1 (Speaker)

PROTESTS 0

CONCERNS 2 (Speakers)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements under Title 19A.04.040 for guest house/casita, with the exception of the minimum lot width of eighty feet.

2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0047-99), the Whispering Sands subdivision, and all other subsequent site related actions as required by the Planning and Development Department and Public Works Department.

3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

4. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

5. The guest houses/casitas shall be situated such as to not create sight visibility problems for vehicular traffic accessing the adjacent streets.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining inasmuch as this project is in Lynbrook, which is a client of his law firm, and McSwain abstaining inasmuch as the developer is a client of her firm.

LAURA MARTIN, Planning and Development, stated this casita option is proposed in lieu of a single car garage to be located to one side of the residence entry court. It does not alter the footprint of the dwelling and does not encroach into the front yard setback. This will be in conformance with the Las Vegas Zoning Code with approval of a Special Use Permit to allow guest houses/casitas on lots with a width of less than 80 feet. Staff recommended approval, subject to the conditions.

DEWEY JONES, Jones-Greenwald Architectural and Residential Design, 4815 West Russell Road, Suite #18R, concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, urged the Commission to approve this request.

CAROL LeDUC, 7575 Rome Boulevard, asked if these casitas need a Variance because of their size. She also asked how many there would be, and if they will contain kitchens.

GLADYS FEINN, 8125 Lone Mountain Road, also wondered how many casitas are being requested.

DEWEY JONES explained that a third car garage has the option of converting to a casita.

CHAIRMAN GALATI declared the Public Hearing closed.

MS. MARTIN said this is attached to the house in the front yard. It will not alter the elevation of the house. Kitchens are not permitted.

To be heard by the City Council on December 5, 2001.

(8:16 - 8:22) 2 - 1270 - RECESS

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B-8.

ABEYANCE - Z-0063-01(1) - CONCORDIA HOMES OF NEVADA

Request for a Site Development Plan Review and Waiver of Street Requirements FOR A PROPOSED 78-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 10.03 Acres located adjacent to the northeast corner of the Deer Springs Way and Campbell Road alignments (APN: 125-20-201-013 and 014), U (Undeveloped) Zone [ML-TC (Medium-Low Density Residential) General Plan Designation] [PROPOSED: TC (Town Center)], Ward 6 (Mack).

NOTICES MAILED 39 [Mailed with Z-0063-01] 09/20/01 PC

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The City Council shall approve a Rezoning (Z-0063-01) to T-C (Town Center).

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. The applicant shall meet with the City Fire Department on the length of the private drives.

4. The setbacks for this development shall be:

| | |
|---------------------------|---------|
| Front (to House) | 5 Feet |
| Front (to Garage) Maximum | 5 Feet |
| Side | 5 Feet |
| Corner Side | 10 Feet |
| Rear | 14 Feet |

**Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous**

JOEL McCULLOCH, Planning and Development, stated this request is for 80 single-family cluster lots on approximately 10 acres within the Town Center planning area. The site plan presented depicts an effective layout of internal lots and streets. However, the private drives are approaching the Fire Department's maximum of 150 feet. There is a condition that requires the applicant to meet with the Fire Department to resolve any possible problems. It is within the parameters of the existing zoning district. Staff recommended approval, subject to the conditions.

DAVID EDWARDS, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of Concordia Homes. He accepted staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on December 5, 2001.

(8:43 - 8:44) 2 - 1517

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**ABEYANCE - Z-0063-01(1) - CONCORDIA
HOMES OF NEVADA**

APPROVED

5. The applicant shall have constructed a six-foot high decorative block wall, with at least 20 percent contrasting materials, along the street frontages. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

6. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.

8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

10. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

11. This site plan shall be designed to comply with the Town Center Residential Public Street Standards, which require a minimum of 5-foot sidewalks on both sides of the street. The Tentative Map for this site shall reflect compliance with such requirements.

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**ABEYANCE - Z-0063-01(1) - CONCORDIA
HOMES OF NEVADA**

APPROVED

12. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed street layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

13. A Master Streetlight Plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.

14. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-63-01 and all other subsequent site-related actions.

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ACTION

B-9.

ABEYANCE - SD-0055-01 - MBP INDUSTRIES, LC ON BEHALF OF ULTIMATE COLLISION

Request for a Site Development Plan Review FOR A PROPOSED 15,880 SQUARE FOOT AUTO PAINT & BODY REPAIR SHOP on 1.3 acres adjacent to the west side of Rancho Drive, approximately 265 feet north of Cheyenne Avenue, (APN: 138-12-801-009), C-2 (General Commercial) Zone, Ward 6 (Mack).

STAFF REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING.

Truesdell -

ABEYANCE TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING (Applicant to submit a related parking Variance).

Unanimous

JOEL McCULLOCH, Planning and Development, stated that on October 11, 2001 the applicant requested this item be held in abeyance until the November 15, 2001 Planning Commission meeting in order to submit a Variance request for parking on the site.

There was no one present to represent the application.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the Planning Commission on November 15, 2001.

(6:10 - 6:12) 1 - 112

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ACTION

B-10.

**DB-0009-01 - JOHN S. PARK
NEIGHBORHOOD PLANNING TEAM**

Presentation and Discussion only of the John S. Park Neighborhood Plan.

STAFF RECOMMENDATION: APPROVAL, with the condition that the following comments or modifications be made or addressed.

1. As no official designation has been made to date, the term "historic" should not be used in the title of the plan at this time. It is recommended that the title be amended.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

PRESENTATION GIVEN

CHAIRMAN GALATI announced that this is not a public hearing item. Citizen comments can be submitted to the Department of Neighborhood Services. However, the Planning Commission will be having another hearing on this issue

ROBERT GENZER, Planning and Development, introduced Sharon Segerblom, Director of the Department of Neighborhood Services. This is not a public hearing item, but part of a two-step process. This item is just a presentation. The Commissioners will be able to make comments and those will be reviewed by staff. Subsequent to this meeting there will be a second meeting where the public will be invited to provide their input.

SHARON SEGERBLOM, Department of Neighborhood Services, began the presentation by saying that the Mayor and Council approved the Neighborhood Planning process in 1998. This is the second Neighborhood Plan to reach the stage of appearing before the Planning Commission.

Neighborhood plans are community driven. Neighborhood Services is merely a technical support. This plan is an opportunity for citizens to become City decision makers regarding policies or actions that could affect their neighborhood's future.

BOB BELLIS, 823 Park Paseo, President of John S. Park Neighborhood Association and Chairman of the planning team that has developed the plan being proposed, explained the borders of his neighborhood are Charleston, Las Vegas Boulevard, Ninth Street, and Oakey Boulevard. The Association was formed in 1995. Due to many applications to expand commercial uses in their residential area, the residents initiated the Neighborhood Planning process in early 2000. This Plan was prepared in accordance with the requirements as set forth in City Council Resolution R-27-98. There were 35 members on the planning team.

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DB-0009-01 - JOHN S. PARK
NEIGHBORHOOD PLANNING TEAM

The plan is divided into four sections: Neighborhood conditions, historic district, Mary Denton Park, and land use. The neighborhood is well-kept. The historic district section indicates the residents desire to preserve about one-third of the neighborhood as a historic residential area. The Mary Denton Park section outlines the residents work to redevelop the park into a community asset. The land use section outlines the residents desire to maintain the residential nature of the neighborhood and prevent further commercial encroachment. The community has worked very hard during the past year and a half to develop a plan for the neighborhood's future.

COMMISSIONER McSWAIN asked about the requirements for making this area an historic district and who will be maintaining the park.

MR. BELLIS responded that the buildings have to be 50 years or older. Only a third of the neighborhood qualifies. However, only 62% of the owners have been contacted. This Plan only indicates that it is in the process. By supporting this proposal it does not create the designation. If they cannot reach an agreement with all the owners it is still possible to designate the area as an historic district. They expect about 80% of the homeowners to be in approval. The City will be maintaining the park.

MS. SEGERBLOM added that Mary Denton Park was property left to the City in a trust and cannot be used for any other purpose other than a public open space. The City has to maintain that park.

COMMISSIONER BUCKLEY asked how this group relates to the areas on the south and east. MR. BELLIS said most of those groups started after his group.

COMMISSIONER EVANS commended everyone who worked on this plan.

COMMISSIONER TRUESDELL noted this Plan has taken an incredible amount of work. This is a sensitive neighborhood because it comprises the downtown core. There should be more involvement of the business owners primarily along Las Vegas Boulevard in this Plan. He felt there should be more emphasis placed on the commercial businesses along Las Vegas Boulevard and the ability to generate tax revenue.

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DB-0009-01 - JOHN S. PARK
NEIGHBORHOOD PLANNING TEAM

MR. BELLIS said there is a height restriction for the businesses along Las Vegas Boulevard of 60 feet since they are so close to residential. This Plan started due to the Titanic project where that developer wanted to buy and tear down some homes along Fifth Place. Subsequently, there was Olympic Gardens that wanted to expand into the residential neighborhoods and tear down some buildings. Some of the businesses were involved in crafting this Plan.

MS. SEGERBLOM said the reason the businesses were addressed was because they have encroachment problems and their close proximity.

CHAIRMAN GALATI asked if the commercial properties that were involved in this Plan are in concurrence. MR. BELLIS responded that they are in concurrence.

(6:35 - 6:57) 1 - 863

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ACTION

B-11.

GPA-0036-01 - APACHE 2000, LIMITED PARTNERSHIP ON BEHALF OF ASTORIA HOMES

Request to Amend a portion of the Centennial Hills Sector Plan FROM: SC-TC (Service Commercial - Town Center) TO: M-TC (Medium Density Residential - Town Center) on approximately 41.27 acres adjacent to the southeast corner of Fort Apache Road and Farm Road (APN: 125-17-301-001), Ward 6 (Mack).

NOTICES MAILED 32

APPROVALS 3 (Speakers)

PROTESTS 2 (Speakers)

STAFF RECOMMENDATION: DENIAL

Truesdell - APPROVED.

Motion carried with Evans voting NO and Buckley abstaining inasmuch as Astoria Homes is a client of his law firm.

SCOTT ALBRIGHT, Planning and Development, stated the applicant feels this should be approved because the M-TC (Medium Density Residential) classification will allow up to 25 dwelling units per acre. The applicant is proposing approximately 15 dwelling units per acre.

Section 19A.18.030.i of the Zoning Code requires four conditions be met in order to justify a General Plan Amendment. At this time not all those conditions have been met.

Staff feels the density is appropriate for Town Center and understands how critical it is to increase the number of rooftops that are necessary to support commercial development. However, staff's primary concern is the impact that the removal of 40 acres of commercial development may have on the entire Centennial Hills Sector. As a centralized commercial component for the entire Sector, the removal of 40 acres of commercial land would be premature at this time.

Staff recommended denial.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent Astoria Homes. There are a lot of properties to the north and east that are designated for SC (Service Commercial). There are lower densities immediately to the west and higher densities to the northwest.

This is a popular product and a valuable part of the housing mix that the City should be offering to its residents. It is marketed primarily for first-time buyers. The homes will range from 1,000 to 1,500 square feet. The price range will be from \$100,000 to \$140,000. It is a community that Astoria has done successfully in other areas of the valley.

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GPA-0036-01 - APACHE 2000, LIMITED PARTNERSHIP ON BEHALF OF ASTORIA HOMES

Astoria Homes inquired from owners of surrounding vacant properties, but found those properties were unavailable for purchase.

He submitted a study done by The Concord Group for Astoria Homes. The study was done for all the commercial in the Centennial Hills area, including all that is shown in the Town Center area and studied all the planned residential in the Centennial Hills area. There is Planned Desert Rural, PCD, etc., with a wide range of potential densities planned in the Centennial Hills area. The study presumed that those densities would develop at their average density. The study compared the ULI standards for households that would support SC (Service Commercial). Another study compared Town Center projects in California. The report states that converting this property would not be detrimental to Town Center.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. He heard at a City Council meeting that Town Center would be an on-going development. This is the right development in the right place.

TOM McGOWAN, Citizen of Las Vegas, appeared in approval. The Centennial Hills concept is magnificent. He submitted the following comments:

"He felt the public was not informed of the geographic boundaries of the Park District.

In regard to historic designations, that applies regardless of who the current and future residential and commercial inhabitants may be. Had public comment been allowed, the Planning Commission would have known that.

He was very impressed with the efficiency, effectiveness and dignity of this Planning Commission.

He was puzzled in certain instances wherein substantial disparity exists between the recommendations of staff and the Commission.

Our nation is at war with an elusive, deceptive, unseen and suicidal resolute enemy and the world we knew ended on September 11, 2001. While we strive to overcome fear and continue with our lives and businesses as usual, it's irrefutable that a false sense of security is inherently perilous, since the

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**GPA-0036-01 - APACHE 2000, LIMITED
PARTNERSHIP ON BEHALF OF ASTORIA
HOMES**

term of continuing terrorist activities may continue for many years with commensurately impactful political and socio-economic consequences upon American interests nationally and worldwide, as well as statewide, regionally and locally.

For those and other interrelated reasons, the scale and prioritization of Planning matters responsively should and necessarily must reflect the preservation of optimal socio-economic viability inherent in reciprocity and the spirit of genuine communication, in the genuine best public and private interest, inclusively, in order to persevere and to increasingly thrive notwithstanding a broad range of practical constraints.

Today and henceforth, the spirit of genuine community is categorically imperative to our national survival.

When the opportunity to provide public comment on an item of public interest is the suspect of interpretation, that determination should be made in the public interest, rather than for the convenience of government.

Ultimately, wherein a government has no interest in fostering public participation in the democratic process, the interested and affected public has no particular need for or interest in a public-excluded government. Public-excluded government is intrinsically devoid of integrity, in which case, private, non-public government is the essence and embodiment of anarchy."

GLADYS FEINN, 8125 Lone Mountain Road, appeared in protest. There is too much commercial in Town Center. There is no need for more houses to bring in more traffic.

LINDA FIONDA, 9390 West Helena Avenue, appeared in protest. The Town Center is a fairly new concept and there seem to be continuous changes to the zoning. This is premature. She did not think this would be a good transitional project. It is too dense so far inland.

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

**GPA-0036-01 - APACHE 2000, LIMITED
PARTNERSHIP ON BEHALF OF ASTORIA
HOMES**

CAROL LeDUC, 7575 Rome Boulevard, appeared in protest. She objected to 15 units per acre as that could create a greater danger of fires.

JIM VELTMAN, Veltman Planning and Design Group, 750 Peak Drive, appeared in approval. The density needs to increase or it will become just another suburban shopping center. This is the first attempt to do what the Town Center residential problem addressed.

CHAIRMAN GALATI declared the Public Hearing closed.

SCOTT ALBRIGHT said staff received the market study late yesterday. The basic conclusion of the study is that there are not enough rooftops to support the amount of commercial that is being proposed for the area. The study also states that their numbers do not take into account mixed use zones located in Town Center.

ATTORNEY FIORENTINO said this site is not within close proximity to any existing homes.

COMMISSIONER TRUESDELL felt this gives home ownership for this area because Las Vegas is growing and there is a need for this type of housing. The right commercial will be market driven. He was not concerned about fires in this project.

COMMISSIONER McSWAIN asked if staff objects to this location or SC (Service Commercial) zoning. MR. ALBRIGHT replied that staff feels it is premature to eliminate commercial at this time. COMMISSIONER McSWAIN felt the area will be evolving and this project in this location seems reasonable.

CHRIS KNIGHT, Planning and Development, clarified that the original intent of Town Center is the 56 square mile area between Moccasin, Cheyenne, Decatur to Puli. It is estimated the population will eventually reach 330,000 people. About 9% of the land that is developed in the city of Las Vegas is commercial. Staff is trying to pull that commercial component into a Town Center component on 2,500 acres, which makes the commercial land serve that projected population. The commercial is not to be developed in the Town Center residential areas. Staff is looking at the long-term vision of Town Center.

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ITEM

ACTION

**GPA-0036-01 - APACHE 2000, LIMITED
PARTNERSHIP ON BEHALF OF ASTORIA
HOMES**

CHAIRMAN GALATI felt that what the residents want in Town Center, such as walkable cafes, video stores, etc., is going to occur in other locations, but if someone would propose a strip center, that is not what is desired. He has not seen very many developers wanting to build homes in Town Center. If there is more residential, then more commercial would be proposed.

MR. KNIGHT responded that staff is not saying no homes at the expense of commercial.

COMMISSIONER EVANS thought the plan needs to have time to evolve.

COMMISSIONER McSWAIN felt the City needs to inspire more rooftops in this area.

COMMISSIONER TRUESDELL appreciates staff's efforts, but thinks this is appropriate and made a motion for approval.

To be heard by the City Council on December 5, 2001.

(8:51 - 9:31) 2 - 1810

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ITEM

ACTION

B-12.

GPA-0037-01 - CITY OF LAS VEGAS

Request to amend a portion of the Centennial Hills Sector Plan FROM: MLA-TC (Medium-Low Attached) TO: PF-TC (Public Facility) adjacent to the northwest corner of the northern Beltway alignment and Fort Apache Road, (APN: 125-19-701-007), Ward 6 (Mack).

NOTICES MAILED 49 [Mailed with Z-0069-01 and Z-0096-01(1)]

APPROVALS 1 (Speaker)

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL

**Truesdell -
APPROVED.
Unanimous**

SCOTT ALBRIGHT, Planning and Development, stated that Section 19A.18.030.i of the Las Vegas Zoning Code requires four conditions be met in order to justify a General Plan Amendment. Staff feels all four conditions are being met. The only concern is the loss of 120 dwelling units. They could be made up in the Mixed Use Districts.

DAVID ROARK, Department of Public Works, said the park to the north is conceptual. The detention basin will protect the Beltway and the houses just north of the Beltway.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. This is a good idea for this property.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-13 and B-14 for related discussion.

To be heard by the City Council on December 5, 2001.

(8:44 - 8:51) 2 - 1590

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-13.

Z-0069-01 - CITY OF LAS VEGAS

Request for a Rezoning FROM: U (Undeveloped) [MLA-TC Medium-Low Attached General Plan Designation] TO: TC (Town Center) Zone, on approximately 10 acres adjacent to the northwest corner of the northern beltway alignment and Fort Apache Road (APN: 125-19-701-007), PROPOSED USE: Detention Basin and Park, Ward 6 (Mack).

NOTICES MAILED 49 [Mailed with GPA-0037-01 and Z-0069-01(1)]

APPROVALS 1 (Speaker)

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The City Council shall approve a General Plan Amendment (GPA-0037-01) to a PF-TC (Public Facility) land use designation.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Truesdell -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous**

LAURA MARTIN, Planning and Development, stated this request is to accommodate a 10-acre public facility, which will be used for a 7.38 acre foot detention basin and 2.7 acre park. This use is allowable under the requested C-V (Civic) zoning district as a proposed detention basin and City park and will meet flood protection as well as recreational facilities in the area. Staff recommended approval, subject to the conditions.

DAVID ROARK, City of Las Vegas, Department of Public Works, said the park to the north is conceptual. The detention basin will protect the Beltway and the houses just north of the Beltway.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. This is beneficial for this property.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-12 and B-14 for related discussion.

To be heard by the City Council on December 5, 2001.

(8:44 - 8:51) 1 - 1590

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ACTION

Z-0069-01 - CITY OF LAS VEGAS

APPROVED

Public Works

4. Dedicate 50 feet of right-of-way adjacent to this site for Fort Apache Road and appropriate right-of-way as needed for a future bridge embankment crossing the beltway. Also, dedicate 40 feet for Chieftain Street, 40 feet for Bath Drive, a 25-foot radius on the southwest corner of Bath Drive and a 25 foot radius on the southeast corner of Bath Drive and Chieftain Street prior to the issuance of any permits. Coordinate with the Clark County Department of Public Works to determine what additional rights-of-way, if any, may be needed for possible bridge embankments for the overpass of Fort Apache Road.

5. Construct half-street improvements including appropriate overpaving (if legally able) on Fort Apache Road, Bath Drive and Chieftain Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Construction of Fort Apache Road, Bath Drive and Chieftain Street shall comply with all applicable Town Center Standards.

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Z-0069-01 - CITY OF LAS VEGAS

6. A Traffic Impact Analysis or other acceptable information, must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

APPROVED

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-14.

Z-0069-01(1) - CITY OF LAS VEGAS

Request for Site Development Plan Review for a Detention Basin and City Park on approximately 10 acres at the northwest corner of the northern beltway alignment and Fort Apache Road (APN: 125-19-701-007), U (Undeveloped) Zone [MLA (Medium Low Attached) General Plan Designation], PROPOSED: TC (Town Center) Zone, Ward 6 (Mack).

NOTICES MAILED 49 [Mailed with GPA-0037-01 and Z-0069-01]

APPROVALS 1 (Speaker)

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The City Council shall approve a General Plan Amendment (GPA-0037-01) to PF-TC (Public Facilities) and a Rezoning (Z-0069-01) to a C-V (Civic) Zoning District.

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

4. Provide an enclosure method to encompass the entire detention basin.

Truesdell -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous**

LAURA MARTIN, Planning and Development, stated this 7.38 acre detention basin is located at the southern end of the site. It will include two basketball courts, two shade structures, children's play area, swing set and benches scattered throughout the park. There is a condition to provide an enclosure method to encompass the entire detention basin to prevent access. If the courts are lighted it should not extend past 10:00 P.M. The Draft Trails Element of the General Plan indicates a multi-use trail along the west side of Fort Apache. Therefore, there is a condition for the provision of that trail. Staff recommended approval, subject to the conditions.

DAVID ROARK, City of Las Vegas, Department of Public Works, said the park to the north is conceptual. The detention basin will protect the Beltway and the houses just north of the Beltway.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. This is beneficial for this property.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-12 and B-13 for related discussion.

To be heard by the City Council on December 5, 2001.

(8:44 - 8:51) 2 - 1590

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ACTION

Z-0069-01(1) - CITY OF LAS VEGAS

APPROVED

5. Provide a twenty foot wide multi-use (non-equestrian) trail along the west side of Fort Apache Road to be located at least five feet from the street curb which includes a ten foot wide PCC (Portland cement concrete) path with five foot wide landscape planters on each side of the trail. Provide a connection to Fort Apache Road to allow for the trail to extend east across Fort Apache Road. The trail shall be constructed concurrent with development of this site.

6. The lighting of the basketball courts, and any other portion of the park area, and shall not extend past 10:00 PM. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

11. All City Code requirements and design standards of all City departments must be satisfied.

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ITEM

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Z-0069-01(1) - CITY OF LAS VEGAS

Public Works

12. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

13. Site development to comply with all previous Conditions of Approval for Zoning Reclassification Z-69-01 (on this same agenda).

APPROVED

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ITEM

ACTION

B-15.

GPA-0038-01 - BLACK MOUNTAIN BOULDER, LIMITED LIABILITY COMPANY ON BEHALF OF RICHMOND AMERICAN HOMES

Request to Amend a portion of the Centennial Hills Sector Plan FROM: DR (Desert Rural Density Residential) TO: L (Low Density Residential) on 16.58 acres adjacent to the southeast corner of Torrey Pines Drive and Azure Drive (APN: 125-26-601-002, 003 and 005), Ward 6 (Mack).

NOTICES MAILED 139

APPROVALS 0

PROTESTS 101 (Petition)
4 (Speakers)

STAFF RECOMMENDATION: DENIAL

Truesdell -
WITHDRAWN WITHOUT PREJUDICE.
Unanimous

CHAIRMAN GALATI called this item forward after Item No. B-11.

KYLE WALTON, Planning and Development, stated this area has R (Rural) and DR (Desert Rural) around it. This density is inconsistent with the entire area. The Plan shows this area is to remain R (Rural). Staff recommended denial.

JEFFREY ARMSTRONG, VTN Nevada, 2727 South Rainbow Boulevard, advised that the applicant would like to have this item held for 30 days in order to rethink this proposal.

COMMISSIONER TRUESDELL suggested holding this item for 60 days. MR. ARMSTRONG agreed to the 60-day abeyance.

CHAIRMAN GALATI declared the Public Hearing open.

CYNTHIA SHAGLA, 5960 North Torrey Pines, appeared in protest. **She submitted a petition with 105 signatures in opposition.** She wants to raise her family in a rural atmosphere. This item should be heard at this meeting.

PAM KINKADE, 5757 North Tee Pee Lane, appeared in protest. This application should be heard at this meeting because nothing is going to change to warrant it being held.

CAROL LeDUC, 7575 Rome Boulevard, appeared in protest. She would prefer to have this item heard at this meeting.

RICHARD CANDILIERE, 6271 Bull Ring Lane, appeared in protest. This request should be heard at this meeting.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER BUCKLEY was not aware of what could be done with this application to change the basic request.

CHAIRMAN GALATI said that if this would be denied the applicant could file the same basic type of application in 60 days with a few changes.

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ITEM

ACTION

**GPA-0038-01 - BLACK MOUNTAIN
BOULDER, LIMITED LIABILITY COMPANY
ON BEHALF OF RICHMOND AMERICAN
HOMES**

MR. GLORE explained that the applicant could submit an application for a less intense project at the next quarterly cycle.

CHAIRMAN GALATI announced this item would be heard at this meeting.

MR. ARMSTRONG began his presentation by saying they were going to amend their proposal from L (Low Density Residential) to R (Residential), which would allow up to 3.5 dwelling units per acre, but they were going to propose 3.0 dwelling units per acre. The properties to the north are developed similarly. The only option they have is to submit an application from DR (Desert Rural Density Residential) to R (Residential).

COMMISSIONER BUCKLEY thought perhaps this item should be withdrawn without prejudice.

MR. ARMSTRONG said his instructions were to have the item held and come back with a proposal for a Rural designation in 30 to 60 days.

This is final action.

(9:31 - 9:39) 3 - 100

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ITEM

ACTION

B-16.

**GPA-0039-01 - SPRING MOUNTAIN RANCH,
LIMITED LIABILITY COMPANY**

Request to Amend a portion of the Centennial Hills Sector Plan FROM: SC (Service Commercial) TO: M (Medium Density Residential) on 3.22 acres adjacent to the west side of Fort Apache Road, approximately 950 feet south of Horse Drive (APN: 125-08-310-003), Ward 6 (Mack).

NOTICES MAILED: 203

APPROVALS: 1 (Speaker)

PROTESTS: 1
1 (Speaker)

STAFF RECOMMENDATION: APPROVAL

Based upon the discussion and findings above, it is the staff's opinion that the request meets the conditions necessary for granting an amendment to the General Plan. The staff, therefore, recommends that the application to alter the classification of the property be approved.

**Evans -
APPROVED.**

Motion carried with Buckley abstaining inasmuch as the applicant is a client of his law firm.

KYLE WALTON, Planning and Development, stated the applicant is contracting the amount of SC (Service Commercial) they have off Racel and increasing the amount of M (Medium Density Residential). The M (Medium Density Residential) is intended to be a buffer between the SC (Service Commercial) and lower density residential to the east. Staff recommended approval.

JEFFREY ARMSTRONG, VTN Nevada, 2727 South Rainbow Boulevard, concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

JIM VELTMAN, Veltman Planning and Design Group, 2921 North Tenaya Way, appeared in approval.

RITA PHILLIPS, Spring Mountain Ranch, Iron Hitch, appeared in protest. There are not enough schools in the area to accommodate more children.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on December 5, 2001.

(9:39 - 9:43) 3 - 350

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ITEM

ACTION

B-17.

GPA-0040-01 - EL CAPITAN-ACKERMAN, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY

Request to Amend a portion of the Centennial Hills Sector Plan TO REALIGN A MULTI-USE TRAIL DESIGNATION generally located adjacent to the southeast corner of El Capitan Way and Ackerman Avenue (APN: 125-08-805-001, 002, 003, 004, 005, 006, and 007), Ward 6 (Mack).

NOTICES MAILED: 1121 [Mailed with Z-0071-01 and Z-0071-01(1)]

APPROVALS: 0

PROTESTS: 0

STAFF RECOMMENDATION: APPROVAL

Based upon the discussion and findings above, it is the staff's opinion that the request meets all of the above conditions. The staff, therefore, recommends that the application to alter the location of the trail be approved.

Truesdell -
APPROVED.

Motion carried with Buckley abstaining inasmuch as Spring Mountain Ranch is a client of his law firm.

KYLE WALTON, Planning and Development, stated this application is an amendment to Map 7 of the Centennial Hills Sector Plan, which is the trails map that was adopted in 1999. The applicant would like to move the trail to the north end of their lot on the south side of Ackerman Avenue. It is consistent with the recent realignment of the trail immediately to the west. Staff has always felt the trail should be moved to Ackerman Avenue. Staff recommended approval.

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent the applicant. This is a request to move the trail to the northern portion of this property and eventually down to Durango Drive.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. He felt this amendment is a good alignment for the trail.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-18 and B-19 for related discussion.

To be heard by the City Council on December 5, 2001.

(9:43 - 9:50) 3 - 480

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ITEM

ACTION

B-18.

Z-0071-01 - EL CAPITAN-ACKERMAN, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY

Request for a Rezoning FROM: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] TO: R-PD8 (Residential Planned Development - 8 Units Per Acre) on 20.67 acres located adjacent to the southeast corner of El Capitan Way and Ackerman Avenue (APN: 125-08-805-001, 002, 003, 004, 005, 006, and 007), PROPOSED USE: SINGLE FAMILY RESIDENTIAL, Ward 6 (Mack).

NOTICES MAILED 1121 [Mailed with GPA-0040-01 and Z-0071-01(1)]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Rezoning shall be amended to an R-PD7 (Residential Planned Development-7 Units Per Acre) Zone.

2. A Resolution of Intent with a two-year time limit.

3. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Motion carried with Buckley abstaining inasmuch as Spring Mountain Ranch is a client of his law firm.

JOEL McCULLOCH, Planning and Development, stated this rezoning request will be consistent with the General Plan designation and is within the allowable densities for the PCD (Planning Community Development) land use designation. This request is for a higher density than the properties to the north and west, which are developed at R-PD6. This request should be amended to R-PD7, which will require the loss of five or six lots. Staff recommended approval, subject to the conditions.

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent the applicant. He agreed to amend this application to R-PD7.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-17 and B-19 for related discussion.

To be heard by the City Council on December 5, 2001.

(9:43 - 9:50) 3 - 480

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ITEM

ACTION

**Z-0071-01 - EL CAPITAN-ACKERMAN,
LIMITED LIABILITY COMPANY, ET AL ON
BEHALF OF SPRING MOUNTAIN RANCH,
LIMITED LIABILITY COMPANY**

Public Works

4. Dedicate 60 feet of right-of-way adjacent to this site for Grand Teton Drive. Alternatively, the applicant may grant a 10-foot "Public Use Roadway Corridor Easement" adjacent to such right-of-way for a total public half-street corridor width of 60 feet. Such public use easement shall be granted and available for any public need in conjunction with but not limited to traffic, drainage and storm sewers, streetlighting, fire hydrants, walkways, and sanitary sewer purposes. All required corner radii and chord easements shall be reserved behind and adjacent to such roadway corridor easement as if the easement area were dedicated right-of-way.

5. Construct half-street improvements including appropriate overpaving on El Capitan Way adjacent to this site concurrent with development of this site. Also, construct all incomplete half-street improvements on Grand Teton Drive and Ackerman Avenue adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

APPROVED

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ITEM

ACTION

**Z-0071-01 - EL CAPITAN-ACKERMAN,
LIMITED LIABILITY COMPANY, ET AL ON
BEHALF OF SPRING MOUNTAIN RANCH,
LIMITED LIABILITY COMPANY**

APPROVED

6. Coordinate with the Collection Systems Planning section of the Department of Public Works to extend public sanitary sewer in Grand Teton Drive to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site.

The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1, for dedicated right-turn lanes and dual left turn lanes, shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic

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ITEM

ACTION

**Z-0071-01 - EL CAPITAN-ACKERMAN,
LIMITED LIABILITY COMPANY, ET AL ON
BEHALF OF SPRING MOUNTAIN RANCH,
LIMITED LIABILITY COMPANY**

APPROVED

Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map for this site, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site if allowed by the Planning Engineer.

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ITEM

ACTION

B-19.

**Z-0071-01(1) - EL CAPITAN-ACKERMAN,
LIMITED LIABILITY COMPANY, ET AL ON
BEHALF OF SPRING MOUNTAIN RANCH,
LIMITED LIABILITY COMPANY**

Request for a Site Development Plan Review FOR A 156-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 20.67 acres located adjacent to the southeast corner of El Capitan Way and Ackerman Avenue (APN: 125-08-805-001, 002, 003, 004, 005, 006, and 007), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation]], PROPOSED: R-PD8 (Residential Planned Development – 8 Units Per Acre), Ward 6 (Mack).

NOTICES MAILED 1121 [Mailed with GPA-0040-01 and Z-0071-01]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The City Council shall approve a Rezoning to an R-PD8 (Residential Planned Development - 8 Units Per Acre) Zoning District, or if a Rezoning to an R-PD7 (Residential Planned Development - 7 Units Per Acre) is approved, the site plan shall be revised to establish a maximum density of 7.49 Units Per Acre.

2. The developer shall grant a multi-use, non-equestrian trail corridor adjacent to, but outside of, the dedicated right-of-way for Ackerman Avenue, on the south side of the street, for trail purposes in accordance with the Trails element of the Master Plan. Concurrent with development of this site, the developer shall construct Trail improvements within this

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Motion carried with Buckley abstaining inasmuch as Spring Mountain Ranch is a client of his law firm.

JOEL McCULLOCH, Planning and Development, stated this site plan meets the standards of the Centennial Hills Sector Plan with regard to the trail depicted on the south side of Ackerman Avenue. In addition, this project will be compatible with the surrounding development with approval of the related zoning amended to R-PD7. Staff recommended approval, subject to the conditions.

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent the applicant. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-17 and B-18 for related discussion.

To be heard by the City Council on December 5, 2001.

(9:43 - 9:50) 3 - 480

PLANNING COMMISSION

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

**Z-0071-01(1) - EL CAPITAN-ACKERMAN,
LIMITED LIABILITY COMPANY, ET AL ON
BEHALF OF SPRING MOUNTAIN RANCH,
LIMITED LIABILITY COMPANY**

APPROVED

easement corridor in a manner acceptable to the Planning and Development Department and the Department of Public Works. The Homeowner's Association or similar management association of this development in perpetuity shall maintain landscaping and other improvements within the trail corridor, unless and until the City accepts an alternative maintenance. No above ground utility vaults that would substantially interfere with the use of the trail corridor will be allowed within the easement area.

3. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.

4. The setbacks for this development shall be a minimum of 18 feet to the front of the garage from the back of sidewalk, 5 feet on the side, 5 feet on the corner side, and 10 feet in the rear.

5. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

8. Air conditioning units shall not be mounted on rooftops.

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ITEM

ACTION

**Z-0071-01(1) - EL CAPITAN-ACKERMAN,
LIMITED LIABILITY COMPANY, ET AL ON
BEHALF OF SPRING MOUNTAIN RANCH,
LIMITED LIABILITY COMPANY**

Public Works

9. Submit a Petition of Vacation for the entire width of Versi Mount Road. Such Vacation shall be recorded prior to the recordation of a Final Map overlying the area to be vacated.

10. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed roadway layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated drives shall be designed, located and constructed in accordance with Standard Drawing #222a.

11. A Master Streetlight plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.

12. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. The CC&R's for the Homeowner's Association shall be submitted to and approved by the City Attorney's Office.

APPROVED

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ITEM

ACTION

**Z-0071-01(1) - EL CAPITAN-ACKERMAN,
LIMITED LIABILITY COMPANY, ET AL ON
BEHALF OF SPRING MOUNTAIN RANCH,
LIMITED LIABILITY COMPANY**

APPROVED

13. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

14. The final layout of this site shall be determined at the time of approval of the Tentative Map. Final right-of-way requirements will be determined at that time.

15. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-71-01, on this same agenda, and all other subsequent site-related actions.

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-20.

GPA-0041-01 - MATONOVICH FAMILY TRUST ON BEHALF OF KB HOME NEVADA, INC.

Request to amend a portion of the Centennial Hills Sector Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 5.21 acres adjacent to the southeast corner of Campbell Road and Alexander Road (APN: 138-08-101-005 & 006), Ward 4 (Brown).

NOTICES MAILED 117 [Mailed with Z-0072-01, V-0069-01 and Z-0072-01(1)]

APPROVALS 0

PROTESTS 0

CONCERNS 2 (Speakers)

STAFF RECOMMENDATION: DENIAL

Truesdell -

DENIED (Not compatible with surrounding area).

Motion carried with Buckley and McSwain abstaining inasmuch as KB Home Nevada, Inc. is a client of their firms.

KYLE WALTON, Planning and Development, stated the applicant would like to increase the density in an area that had been used as a buffer between some very low residential development to the north and more intensive uses to the south. In the past, this low density had been established to maintain this buffer as all of the existing development to the north. Staff recommended denial.

RUSSELL SKUSE, Tetra Tech, Inc., 401 North Buffalo Drive, explained that Alexander has been the demarcation line for the buffer from the Low Density to the Higher Density. About a year and a half ago they came in at the intersection of Durango and Alexander and took a piece of remnant property in hopes of developing multi-family or commercial. When they came in with the adjacent properties along Alexander, particularly east of Durango, it was very difficult to develop these parcels because of their irregular shape. This is a difficult piece of property to develop. They are over by three lots, which forced the R-PD6 zoning.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared as a concerned citizen.

JIM VELTMAN, 4470 North Chieftain Street, urged R-PD5 zoning.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-21 for related discussion.

NOTE: ROBERT GENZER, Planning and Development, stated after the vote was posted on Item No. B-21 that this General Plan Amendment should be amended to R-PD5 when it is heard by the City Council.

To be heard by the City Council on December 5, 2001.

(9:50 - 10:04) 3 - 700

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-21.

**Z-0072-01 - MATONOVICH FAMILY TRUST
ON BEHALF OF KB HOME NEVADA, INC.**

Request for a Rezoning FROM: U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] TO: RPD-6 (Residential Planned Development - 6 Units Per Acre) on 5.21 acres adjacent to the southeast corner of Campbell Road and Alexander Road (APN: 138-08-101-005 & 006), Ward 4 (Brown).

NOTICES MAILED 117 [Mailed with GPA-0041-01, V-0069-01 and Z-0072-01(1)]

APPROVALS 0

PROTESTS 0

CONCERNS 2 (Speakers)

STAFF RECOMMENDATION: DENIAL, If approved, subject to:

Planning and Development

1. The City Council shall approve a General Plan Amendment (GPA-0041-01) to a Medium-Low Density Residential land use designation.

2. A Resolution of Intent with a two-year time limit.

3. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate 50 feet of right-of-way adjacent to this site for Alexander Road, 30 feet for Campbell Road, and a 25-foot radius on the southeast corner of Alexander Road and Campbell Road.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 1 DELETED AND REPLACED WITH AN RPD-5 CONDITION.

Motion carried with Buckley and McSwain abstaining inasmuch as KB Home Nevada, Inc. is a client of their firms.

LAURA MARTIN, Planning and Development, stated the RPD -6 zoning district would be incompatible with the existing surrounding land uses. The General Plan provides a L (Low Density Residential) buffer along Alexander Road from Grand Canyon to Cimarron. These properties buffer the DR (Desert Rural Density Residential) designated properties north of Alexander from the R-CL properties that exist south of Alexander Road. All prior developments adjacent to Alexander Road have provided at least 100 feet of L (Low Density Residential) towards this buffer. Twenty-nine lots instead of 32 lots are planned for this property under the RPD-5 zone, which is consistent with the L (Low Density Residential) General Plan designation and would eliminate the need for the General Plan Amendment. Staff recommended denial.

RUSSELL SKUSE, Tetra Tech, Inc., 401 North Buffalo Drive, explained that Alexander has been the demarcation line for the buffer from the Low Density to the Higher Density. About a year and a half ago they came in at the intersection of Durango and Alexander and took a piece of remnant property in hopes of developing multi-family or commercial. When they came in with the adjacent properties along Alexander, particularly east of Durango, it was very difficult to develop those parcels because of their irregular shape.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared as a concerned citizen.

JIM VELTMAN, 4470 North Chieftain Street, urged RPD-5 zoning.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-20 for related discussion.

To be heard by the City Council on December 5, 2001.

(9:50 - 10:04) 3 - 700

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ITEM

ACTION

**Z-0072-01 - MATONOVICH FAMILY TRUST
ON BEHALF OF KB HOME NEVADA, INC.**

APPROVED

5. Construct half-street improvements, including appropriate overpaving on Campbell Road and Alexander Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

6. Coordinate with the Collection Systems Planning Section in Public Works to extend oversized sewer in Alexander Road to Campbell Road to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits or the recordation of a Final Map for this site. Improvement drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended

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ITEM

ACTION

**Z-0072-01 - MATONOVICH FAMILY TRUST
ON BEHALF OF KB HOME NEVADA, INC.**

APPROVED

by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map for this site, whichever may occur first, if allowed by the City Engineer.

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ITEM

ACTION

**Z-0072-01 - MATONOVICH FAMILY TRUST
ON BEHALF OF KB HOME NEVADA, INC.**

APPROVED

9. The final layout of this site shall be determined at the time of approval of the Tentative Map.

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ITEM

ACTION

B-22.

**V-0069-01 - MATONOVICH FAMILY TRUST
ON BEHALF OF KB HOME NEVADA, INC.**

Request for a Variance TO ALLOW 17,015 SQUARE FEET OF OPEN SPACE WHERE A MINIMUM OF 22,941 SQUARE FEET OF OPEN SPACE IS REQUIRED on 5.21 acres adjacent to the southeast corner of Campell Road and Alexander Road (APN: 138-08-101-005 & 006), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], PROPOSED: R-PD6 (Residential Planned Development - 6 Units Per Acre), Ward 4 (Brown).

ON OCTOBER 15, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE NOVEMBER 1, 2001 PLANNING COMMISSION MEETING.

Quinn -

ABEYANCE ITEM NOS. B-22 AND B-23 TO THE NOVEMBER 1, 2001 PLANNING COMMISSION MEETING (Site being revised).

Motion carried with Buckley and McSwain abstaining inasmuch as KB Home Nevada, Inc. is a client of their firms.

JOEL McCULLOCH, Planning and Development, stated that on October 15, 2001 the applicant requested abeyance of Item Nos. B-22 and B-23 until the November 1, 2001 Planning Commission meeting.

There was no one present to represent this application.

CHAIRMAN GALATI announced this item would be heard in its normal order on the agenda.

CHAIRMAN GALATI requested Item Nos. B-22 and B-23 be heard after Item No. B-21 as the applicant's representative was present.

RUSSELL SKUSE, Tetra Tech, Inc., 401 North Buffalo Drive, requested Item Nos. B-22 and B-23 be held in abeyance to the November 1, 2001 Planning Commission meeting.

NOTE: See related Item No. B-23.

To be heard by the Planning Commission on November 1, 2001.

(6:12 - 6:14) 1 - 140
(10:04 - 10:06) 3 - 1230

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ITEM

ACTION

B-23.

Z-0072-01(1) - MATONOVICH FAMILY TRUST ON BEHALF OF KB HOME NEVADA, INC.

Request for a Site Development Plan Review FOR A 32-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 5.21 acres adjacent to the southeast corner of Campbell Road and Alexander Road (APN: 138-08-101-005 & 006), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], PROPOSED: R-PD6 (Residential Planned Development - 6 Units Per Acre), Ward 4 (Brown).

ON OCTOBER 15, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE NOVEMBER 1, 2001 PLANNING COMMISSION MEETING.

Quinn -

ABEYANCE ITEM NOS. B-22 AND B-23 TO THE NOVEMBER 1, 2001 PLANNING COMMISSION MEETING (Site being revised).

Motion carried with Buckley and McSwain abstaining inasmuch as KB Home Nevada, Inc. is a client of their firms.

JOEL McCULLOCH, Planning and Development, stated that on October 15, 2001 the applicant requested abeyance of Item Nos. B-22 and B-23 until the November 1, 2001 Planning Commission meeting.

There was no one present to represent this application.

CHAIRMAN GALATI announced this item would be heard in its normal order on the agenda.

CHAIRMAN GALATI requested Item Nos. B-22 and B-23 be heard after Item No. B-21 as the applicant's representative was present.

RUSSELL SKUSE, Tetra Tech, Inc., 401 North Buffalo Drive, requested Item Nos. B-22 and B-23 be held in abeyance to the November 1, 2001 Planning Commission meeting.

NOTE: See related Item No. B-22.

To be heard by the Planning Commission on November 1, 2001.

(6:12 - 6:14) 1 - 140

(10:04 - 10:06) 3 - 1230

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ITEM

ACTION

B-24.

GPA-0042-01 - BONANZA REALTY. INC.

Request to Amend a portion of the Downtown Redevelopment Plan FROM: LOW DENSITY TO: TOURIST COMMERCIAL on 1.27 acres adjacent to the northwest corner of 1st Street and Bonanza Road (APN: 139-27-712-046 through 051; 139-27-810-002 through 004), Ward 5 (Weekly).

NOTICES MAILED 227

APPROVALS 1 (Speaker)

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL

Truesdell -

ABEYANCE TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING (Applicant to conduct required neighborhood meeting).

Unanimous

JOEL McCULLOCH, Planning and Development, stated that on October 15, 2001 the applicant requested this item be held in abeyance to the November 15, 2001 Planning Commission meeting in order to call a neighborhood meeting.

There was no one present to represent the application.

CHAIRMAN GALATI declared the Public Hearing open.

BARBARA TOTE, Motel Regency, 700 North Main Street, appeared in favor.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the Planning Commission on November 15, 2001.

(6:14 - 6:15) 1 - 166

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-25.

GPA-0043-01 - ANN DURANGO, LIMITED LIABILITY COMPANY

Request to Amend a Portion of the Centennial Hills Sector Plan FROM: ML (Medium-Low Density Residential) TO: GC (General Commercial) on 2.5 acres adjacent to the southeast corner of Riley Street and Centennial Parkway (APN: 125-29-502-003), Ward 6 (Mack).

NOTICES MAILED 44 [Mailed with Z-0077-01, U-0134-01 and Z-0077-01(1)]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: DENIAL

Buckley -

ABEYANCE ITEM NOS. B-25, B-26, B-27 AND B-28 TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING (Applicant to work with neighbors and staff). Motion carried with Truesdell abstaining inasmuch as his son is negotiating on an adjacent property.

JOEL McCULLOCH, Planning and Development, stated that on October 15, 2001 the applicant requested Item Nos. B-25, B-26, B-27 and B-28 be held to the November 15, 2001 Planning Commission meeting in order to hold a neighborhood meeting and work with staff.

There was no one present to represent the applications.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item Nos. B-26, B-27 and B-28.

To be heard by the Planning Commission on November 15, 2001.

(6:15 - 6:17) 1 - 226

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-26.

Z-0077-01 - ANN DURANGO, LIMITED LIABILITY COMPANY

Request for Rezoning FROM: U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] TO: C-2 (General Commercial) Zone on 2.5 acres adjacent to the southeast corner of Riley Street and Centennial Parkway (APN: 125-29-502-003), PROPOSED USE: USED VEHICLE SALES, Ward 6 (Mack).

NOTICES MAILED 44 [Mailed with GPA-0043-01, U-0134-01 and Z-0077-01(1)]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: DENIAL.

Buckley -

ABEYANCE ITEM NOS. B-25, B-26, B-27 AND B-28 TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING (Applicant to work with neighbors and staff). Motion carried with Truesdell abstaining inasmuch as his son is negotiating on an adjacent property.

JOEL McCULLOCH, Planning and Development, stated that on October 15, 2001 the applicant requested Item Nos. B-25, B-26, B-27 and B-28 be held to the November 15, 2001 Planning Commission meeting in order to hold a neighborhood meeting and work with staff.

There was no one present to represent the applications.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item Nos. B-25, B-27 and B-28.

To be heard by the Planning Commission on November 15, 2001.

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ITEM

ACTION

B-27.

U-0134-01 - ANN DURANGO, LIMITED LIABILITY COMPANY

Request for a Special Use Permit FOR USED MOTOR VEHICLE SALES adjacent to the southeast corner of Riley Street and Centennial Parkway (APN: 125-29-502-003), U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation], PROPOSED: C-2 (General Commercial) Zone, Ward 6 (Mack).

NOTICES MAILED 44 [Mailed with GPA-0043-01, Z-0077-01 and Z-0077-01(1)]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: DENIAL.

Buckley -

ABEYANCE ITEM NOS. B-25, B-26, B-27 AND B-28 TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING (Applicant to work with neighbors and staff). Motion carried with Truesdell abstaining inasmuch as his son is negotiating on an adjacent property.

JOEL McCULLOCH, Planning and Development, stated that on October 15, 2001 the applicant requested Item Nos. B-25, B-26, B-27 and B-28 be held to the November 15, 2001 Planning Commission meeting in order to hold a neighborhood meeting and work with staff.

There was no one present to represent the applications.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item Nos. B-25, B-26 and B-28.

To be heard by the Planning Commission on November 15, 2001.

(6:15 - 6:17) 1 - 226

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ITEM

ACTION

B-28.

Z-0077-01(1) - ANN DURANGO, LIMITED LIABILITY COMPANY

Request for a Site Development Plan Review for an 8,500 SQUARE FOOT USED VEHICLE SALES BUILDING AND A REDUCTION IN PERIMETER LANDSCAPING REQUIRED on 2.5 acres adjacent to the southeast corner of Riley Street and Centennial Parkway (APN: 125-29-502-003), U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation], PROPOSED: GC (General Commercial) Zone, Ward 6 (Mack).

NOTICES MAILED 44 [Mailed with GPA-0043-01, U-0134-01 and Z-0077-01(1)]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: DENIAL.

Buckley -

ABEYANCE ITEM NOS. B-25, B-26, B-27 AND B-28 TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING (Applicant to work with neighbors and staff). Motion carried with Truesdell abstaining inasmuch as his son is negotiating on an adjacent property.

JOEL McCULLOCH, Planning and Development, stated that on October 15, 2001 the applicant requested Item Nos. B-25, B-26, B-27 and B-28 be held to the November 15, 2001 Planning Commission meeting in order to hold a neighborhood meeting and work with staff.

There was no one present to represent the applications.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item Nos. B-25, B-26 and B-27.

To be heard by the Planning Commission on November 15, 2001.

(6:15 - 6:17) 1 - 226

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ITEM

ACTION

B-29.

GPA-0045-01 - COLEMAN-TOLL LIMITED PARTNERSHIP ON BEHALF OF PULTE HOMES

Request to Amend a portion of the Centennial Hills Sector Plan TO REALIGN A MULTI-USE TRAIL DESIGNATION adjacent to the north side of Elkhorn Road and the west side of Rainbow Boulevard (APN: 125-15-801-001 and 125-15-701-001), Ward 6 (Mack).

ON OCTOBER 10, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE JANUARY 24, 2002 PLANNING COMMISSION MEETING.

Truesdell - ABEYANCE TO THE JANUARY 24, 2002 PLANNING COMMISSION MEETING (Awaiting outcome of City's Trails Plan).

Unanimous

JOEL McCULLOCH, Planning and Development, stated that on October 10, 2001 the applicant requested this item be held in abeyance to the January 24, 2002 Planning Commission meeting in order to know the results of the City's Trails Element.

There was no one present to represent this application.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. He does not want the trails project changed.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the Planning Commission on January 24, 2002.

(6:17 - 6:18) 1 - 226

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ITEM

ACTION

B-30.

Z-0067-01 - JAE AND SHIN WEE

Request for a Rezoning FROM: P-R (Professional Office and Parking) TO: R-2 (Medium-Low Density Residential) Zone on 0.16 acre at 1217 San Pedro Street (APN: 162-02-410-086), PROPOSED USE: MULTI-FAMILY RESIDENTIAL, Ward 3 (Reese).

NOTICES MAILED 119

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

Public Works

2. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards at the time of any new development or redevelopment of this site.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Unanimous

LAURA MARTIN, Planning and Development, stated this rezoning would allow the property to return to residential uses which it was prior to the office conversion in 1984. The applicant operated a dental lab in one of the units for ten years and has since retired and would like to return the property to a residential use. The surrounding properties are similarly zoned and are established residential uses, with the exception of the property to the south, which is zoned C-1 with an existing retail development. Staff recommended approval, subject to the conditions.

JOEL McCULLOCH, Planning and Development, stated the applicant is in Korea so he faxed the conditions to him and he has accepted both conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on December 5, 2001.

(10:06 - 10:09) 3 - 1300

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-31.

Z-0068-01 – BRIAN AND JULIE LEE, AND GARY LICKER

Request for a Rezoning FROM: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] TO: PD (Planned Development) Zone on approximately 5.15 acres adjacent to the southeast corner of Cliff Shadows Parkway and Alexander Road (APN: 137-12-101-003), PROPOSED USE: COMMERCIAL, Ward 4 (Brown).

NOTICES MAILED 33

APPROVALS 1 (Speaker)

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application shall be approved by the Planning Commission prior to issuance of any permits, any site grading, and all development activity on this site.

Public Works

3. Dedicate 40 feet or 50 feet of right-of-way, as appropriate, adjacent to this site for Cliff Shadows Parkway, 40 feet for Alexander Road and a 25-foot radius on the southeast corner of Alexander Road and Cliff Shadows Parkway prior to the issuance of any permits.

Evans -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous**

JOEL McCULLOCH, Planning and Development, stated this request conforms to the General Plan designation of PC (Planned Community Development) and will allow for development of this property in conjunction with the Lone Mountain West Master Development Plan. Staff recommended approval, subject to the conditions.

GREG BORGEL, 300 South 4th Street, accepted the conditions on behalf of the applicants.

CHAIRMAN GALATI declared the Public Hearing open.

JIM VELTMAN, Veltman Planning and Design Group, appeared in approval. His clients own the property to the east and are finalizing their site plan. They are concerned as to what will be facing that property to the west. They want to coordinate with these applicants.

MR. BORGEL was willing to coordinate with the neighbors.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on December 5, 2001.

(10:09 - 10:11) 3 - 1350

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ITEM

ACTION

**Z-0068-01 – BRIAN AND JULIE LEE, AND
GARY LICKER**

APPROVED

4. Construct half-street improvements including appropriate overpaving (if legally able) on Alexander Road and Cliff Shadows Parkway adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

5. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend oversized public sewer to the northwest corner of this development to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

6. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

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ITEM

ACTION

**Z-0068-01 – BRIAN AND JULIE LEE, AND
GARY LICKER**

APPROVED

7. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Final Map, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

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ITEM

ACTION

**Z-0068-01 – BRIAN AND JULIE LEE, AND
GARY LICKER**

APPROVED

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map, whichever may occur first, if allowed by the City Engineer.

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ITEM

ACTION

B-32.

**Z-0070-01 - LOVE FAMILY TRUST, ET AL
ON BEHALF OF SPRING MOUNTAIN RANCH,
LIMITED LIABILITY COMPANY**

Request for a Rezoning FROM: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] and R-E (Residence Estates) Zone TO: R-PD6 (Residential Planned Development - 6 Units Per Acre) on 35.93 acres adjacent to the southeast corner of the Fort Apache Road and Log Cabin Way alignments (APN: 125-05-301-001, 002, 003, 005, 006, 007, and 008), PROPOSED USE: SINGLE FAMILY RESIDENTIAL, Ward 6 (Mack).

NOTICES MAILED 155 [Mailed with Z-0070-01(1)]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: DENIAL.

Truesdell -

ABEYANCE TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING (Applicant to revise site plan). Motion carried with Buckley abstaining inasmuch as Spring Mountain Ranch is a client of his law firm.

JOEL McCULLOCH, Planning and Development, stated that just prior to the start of this meeting the applicant requested Item Nos. B-32 and B-33 be held until the November 15, 2001 Planning Commission meeting to allow time for the applicant to submit a revised site plan.

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared to represent Spring Mountain Ranch. They are going to work with staff and address some of their concerns.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-33 for related discussion.

To be heard by the Planning Commission on November 15, 2001.

(6:18 - 6:20) 1 - 316

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-33.

**Z-0070-01(1) - LOVE FAMILY TRUST, ET AL
ON BEHALF OF SPRING MOUNTAIN RANCH,
LIMITED LIABILITY COMPANY**

Request for a Site Development Plan Review FOR A 208-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 35.93 acres adjacent to the southeast corner of the Fort Apache Road and Log Cabin Way alignments (APN: 125-05-301-001, 002, 003, 005, 006, 007, and 008), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation) and R-E (Residence Estates) Zone, PROPOSED: R-PD6 (Residential Planned Development - 6 Units Per Acre, Ward 6 (Mack).

NOTICES MAILED 155 [Mailed with Z-0070-01]

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: DENIAL.

Truesdell -

ABEYANCE TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING (Applicant to revise site plan). Motion carried with Buckley abstaining inasmuch as Spring Mountain Ranch is a client of his law firm.

JOEL McCULLOCH, Planning and Development, stated that just prior to the start of this meeting the applicant requested Item Nos. B-32 and B-33 be held until the November 15, 2001 Planning Commission meeting to allow time for the applicant to submit a revised site plan.

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared to represent Spring Mountain Ranch. They are going to work with staff and address some of their concerns.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-32 for related discussion.

To be heard by the Planning Commission on November 15, 2001.

(6:18 - 6:20) 1 - 316

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ITEM

ACTION

B-34.

Z-0073-01 - KB HOME NEVADA, INC.

Request for a Rezoning FROM: U (Undeveloped) [L (Low Density Residential) General Plan Designation] TO: R-PD5 (Residential Planned Development - 5 Units Per Acre) on 5.31 acres adjacent to the southeast corner of Cimarron Road and Alexander Road (APN: 138-09-501-001 & 002), PROPOSED USE: SINGLE FAMILY RESIDENTIAL, Ward 4 (Brown).

NOTICES MAILED 273 [Mailed with V-0070-01 and Z-0073-01(1)]

APPROVALS 2 (Speakers)

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 50 feet of right-of-way adjacent to this site for Alexander Road, 40 feet for Cimarron Road, and a 54 foot radius on the southeast corner of Alexander Road and Cimarron Road.
4. Construct half-street improvements, including appropriate overpaving on Cimarron Road and Alexander Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS. Motion carried with Buckley and McSwain abstaining inasmuch as KB Home Nevada, Inc. is a client of their firms.

CHAIRMAN GALATI called Item Nos. B-34, B-35 and B-36 forward after Item No. B-31 was heard.

LAURA MARTIN, Planning and Development, stated this density is 5.08 dwelling units per acre. This rezoning will allow for development of single-family uses at a density comparable to the existing residential development surrounding the site. A previous effort had been made to rezone this property to commercial and finds the residential rezoning to be appropriate and compatible to the residential development in the area. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

TONY BRUGES, 4009 Poppy Fields Drive, appeared in approval. He commended the applicant to devise innovative ideas for this property. There are a lot of constraints with this property and wants this property to be developed as residential.

TODD FARLOW, 240 North 19th Street, appeared in approval.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-35 and B-36 for related discussion.

To be heard by the City Council on December 5, 2001.

(10:11 - 10:23) 3 - 1480

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ITEM

ACTION

Z-0073-01 - KB HOME NEVADA, INC.

APPROVAL

5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

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ACTION

Z-0073-01 - KB HOME NEVADA, INC.

6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map for this site, whichever may occur first, if allowed by the City Engineer.

APPROVAL

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COUNCIL CHAMBERS • 400 STEWART AVENUE

ITEM

ACTION

B-35.

V-0070-01 - KB HOME NEVADA, INC.

Request for a Variance TO ALLOW 10,642 SQUARE FEET OF OPEN SPACE WHERE A MINIMUM OF 19,083 SQUARE FEET OF OPEN SPACE IS REQUIRED FOR A PROPOSED 27 LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 5.31 acres adjacent to the southeast corner of Cimarron Road and Alexander Road (APN: 138-09-501-001 & 002), U (Undeveloped) Zone [Low Density Residential General Plan Designation], PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre), Ward 4 (Brown).

NOTICES MAILED 273 [Mailed with Z-0073-01 and Z-0073-01(1)]

APPROVALS 2 (Speakers)

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0073-01), and Site Development Plan Review [Z-0073-01(1)], and any other site-related actions.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley and McSwain abstaining inasmuch as KB Home Nevada, Inc. is a client of their firms.

CHAIRMAN GALATI called Item Nos. B-34, B-35 and B-36 forward after Item No. B-31 was heard.

LAURA MARTIN, Planning and Development, stated R-PD zoning requires 19,383 square feet of common open space. The site plan indicates a total of 10, 840 square feet of open space, which includes a multi-use trail on the south side of Alexander Road. There is a unique circumstance associated with this application in that the Gowan North Drainage Channel exists to the south of this property. It restricts the development from providing the required amount of open space. Staff recommended approval, subject to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

TONY BRUGES, 4009 Poppy Fields Drive, appeared in approval. He commended the applicant to devise innovative ideas for this property. There are a lot of constraints with this property and wants this property to be developed as residential.

TODD FARLOW, 240 North 19th Street, appeared in approval.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-34 and B-36 for related discussion.

To be heard by the City Council on December 5, 2001.

(10:11 - 10:23) 3 - 1480

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ITEM

ACTION

B-36.

Z-0073-01(1) - KB HOME NEVADA, INC.

Request for a Site Development Plan Review FOR A 27 LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION AND A WAIVER TO THE MINIMUM PUBLIC STREET WIDTH REQUIREMENTS on 5.31 acres adjacent to the southeast corner of Cimarron Road and Alexander Road (APN: 138-09-501-001 & 002), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre, Ward 4 (Brown).

NOTICES MAILED 273 [Mailed with Z-0073-01 and V-0070-01]

APPROVALS 2 (Speakers)

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The City Council shall approve a Rezoning (Z-0073-01) to an R-PD5 (Residential Planned Development - 5 Units Per Acre) Zoning District.
2. Approval of Variance (V-0070-01) for a deviation from the open space requirement.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
5. The setbacks for this development shall be a minimum of 18 feet to the front of the garage, as measured from the back of curb or sidewalk, 5 feet on the side, 5 feet on the corner side, and 15 feet in the rear.

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 5 AMENDED TO 14 FEET IN THE REAR AND CONDITION NO. 13 DELETED.

Motion carried with Buckley and McSwain abstaining inasmuch as KB Home Nevada, Inc. is a client of their firms.

CHAIRMAN GALATI called Item Nos. B-34, B-35 and B-36 forward after Item No. B-31 was heard.

LAURA MARTIN, Planning and Development, stated access to this site will be from one non-gated entrance off Alexander Road. The internal streets are not in compliance with the standards of Title 19A requiring streets 37 and 39 feet wide to be privately maintained by a homeowners association. There is a condition requiring the site plan to be revised to depict all the internal streets to be private within the subdivision or street cross sections to be revised to meet City standards for public streets prior to approval of the Tentative Map.

The landscape plan depicts a trail and perimeter landscaping of trees averaging 20 to 40 feet on center. There is a condition requiring trees to be 30 feet on center to be consistent with the Urban Design Guidelines and Standards.

Staff recommended approval, subject to the conditions.

RUSSELL SKUSE, Tetra Tech, Inc., 401 North Buffalo Drive, concurred with the conditions. However in regard to Condition No. 5 they are requesting a 14-foot rear yard setback and staff is requesting 15 feet. They had 14 feet in their Goldrush III project. Another concern is Condition No. 13 because they do not have a homeowners association to maintain private streets.

DAPHNEE LEGARZA, Public Works, requested this subdivision be developed with private streets because they cannot recommend less than a 51-foot public street standard. This site has some constraints, such as drainage, trail, etc.

MR. SKUSE said they developed a project across the street with 37 and 39-foot public streets. There is a 45-foot drainage channel on the south boundary and 15-foot trail along Alexander in the front, which makes this property difficult to develop.

CHAIRMAN GALATI declared the Public Hearing open.

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ACTION

Z-0073-01(1) - KB HOME NEVADA, INC.

6. The landscape plan shall be revised prior to or at the same time application is made for a building permit to reflect compliance with the City of Las Vegas Urban Design Guidelines and Standards (minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters).

7. Air conditioning units shall not be mounted on rooftops.

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

9. The applicant shall have constructed a six-foot high decorative block wall, with at least 20 percent contrasting materials, along the street frontages. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. Submit a Petition of Vacation for portions of the Gowan North Channel drainage easement. Such Vacation shall be recorded prior to the recordation of a Final Map overlying the area to be vacated.

TONY BRUGES, 4009 Poppy Fields Drive, appeared in approval. He commended the applicant for his innovative ideas for this property. There are a lot of constraints with this property and it should be developed as residential.

TODD FARLOW, 240 North 19th Street, appeared in approval. He was concerned about the width of the trail.

MR. SKUSE responded that there will be a 15 foot wide trail with a 5 foot wide sidewalk. They will be connecting to what is already existing.

MS. LEGARZA clarified that the 15 feet is located on the applicant's property and the 5 feet in the public right-of-way.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item Nos. B-34 and B-35 for related discussion.

To be heard by the City Council on December 5, 2001.

(10:11 - 10:23) 3 - 1480

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ITEM

ACTION

Z-0073-01(1) - KB HOME NEVADA, INC.

APPROVED

13. This site plan shall be revised to either a) comply with public street standards for the design, layout, and construction of all interior public streets or b) all interior streets shall be designated as private streets and shall conform to City standards for private streets. The Tentative Map for this site shall reflect one of the above two choices.

14. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed street layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first.

15. The design and layout of all on-site circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

16. Site development to comply with all applicable Conditions of Approval for Z-73-01 and all other site-related actions.

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ITEM

ACTION

B-37.

**Z-0074-01 - RICHARD & BARBARA STIMAC
AND KAY RODRIGUEZ**

Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) Zone on 3.53 acres at 7075 West Craig Road (APN: 138-03-701-003), PROPOSED USE: RETAIL/OFFICE COMPLEX, Ward 6 (Mack).

ON OCTOBER 16, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING.

Truesdell -

ABEYANCE ITEM NOS. B-37 AND B-38 TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING (Applicant to resolve flood control issues).

Unanimous

JOEL McCULLOCH, Planning and Development, stated that on October 15, 2001 the applicant requested Item Nos. B-37 and B-38 be held in abeyance until the November 15, 2001 Planning Commission meeting in order to resolve flood control issues.

There was no one present to represent the application.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See related Item No. B-38.

To be heard by the Planning Commission on November 15, 2001.

(6:20 - 6:21) 1 - 370

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ITEM

ACTION

B-38.

**Z-0074-01(1) - RICHARD & BARBARA
STIMAC AND KAY RODRIGUEZ**

Request for a Site Development Plan Review FOR A PROPOSED OFFICE/RETAIL COMPLEX (Craig Market Place II) on 3.53 acres at 7075 West Craig Road (APN: 138-03-701-003), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], PROPOSED: C-1 (Limited Commercial) Zone, Ward 6 (Mack).

ON OCTOBER 16, 2001 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING.

Truesdell -

ABEYANCE ITEM NOS. B-37 AND B-38 TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING (Applicant to resolve flood control issues).

Unanimous

JOEL McCULLOCH, Planning and Development, stated that on October 15, 2001 the applicant requested Item Nos. B-37 and B-38 be held in abeyance until the November 15, 2001 Planning Commission meeting in order to resolve flood control issues.

There was no one present to represent the application.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-37 for related discussion.

To be heard by the Planning Commission on November 15, 2001.

(6:20 - 6:21) 1 - 370

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ACTION

B-39.

Z-0076-01 - J. COBLENTZ 1994 TRUST ET AL ON BEHALF OF KB HOME NEVADA

Request for a Rezoning FROM: R-E (Residence Estates) Zone, U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation], U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] TO: R-PD5 (Residential Planned Development - 5 Units Per Acre) and R-PD7 (Residential Planned Development - 7 Units Per Acre) on 63.28 acres adjacent to the southwest corner of Craig Road and Tenaya Way (APN: 138-03-303-001 and 138-03-402-001), PROPOSED USE: SINGLE FAMILY RESIDENTIAL, Ward 4 (Brown).

NOTICES MAILED 678 [Mailed with Z-0076-01(1)]

APPROVALS 1
1 (Speaker)

PROTESTS 3 (Letters)
5 (Petition)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. A Site Development Plan Review application shall be approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Submit a Parcel Map to establish property boundaries as proposed. Such Parcel Map shall record prior to the issuance of any building or grading permits for this site.

Truesdell -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous

(Subsequent to the meeting it was determined that Buckley and McSwain abstained inasmuch as KB Home Nevada is a client of their firms.)

CHAIRMAN GALATI called Item Nos. B-39 and B-40 forward after Item Nos. B-34, B-35 and B-36.

JOEL McCULLOCH, Planning and Development, stated RPD-5 and RPD-7 will be an appropriate zoning transition between the existing C-1 and the R-CL zoning of surrounding land to the east and the R-1 zoning to the west and will allow a range of permissible densities compatible with the surrounding development in the area. Staff recommended approval, subject to the conditions.

RUSSELL SKUSE, Tetra Tech, Inc., 401 North Buffalo Drive, concurred with staff on the rezoning. However, in regard to Public Works Condition No. 3, they would like to have the flexibility that if they meet all the requirements for grading that they could begin prior to recordation of the Parcel Map.

DAPHNEE LEGARZA, Public Works, suggested revising that condition to: "Submit a Parcel Map to establish property boundaries as proposed. Such Parcel Map shall record prior to the issuance of any building permits for this site."

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-40 for related discussion.

To be heard by the City Council on December 5, 2001.

(10:23 - 10:42) 3 - 1950

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ITEM

ACTION

Z-0076-01 - J. COBLENTZ 1994 TRUST ET AL ON BEHALF OF KB HOME NEVADA

APPROVED

4. Dedicate 30 feet of right-of-way adjacent to this site for Pioneer Way, 40 feet for Tenaya Way, 50 feet for Alexander Road, a 25 foot radius on the northeast corner of Pioneer Way and Alexander Road and a 54 foot radius on the northwest corner of Tenaya Way and Alexander Road prior to the issuance of any permits.

5. Construct half-street improvements on Tenaya Way, Alexander Road and Pioneer Way adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

6. Remove all substandard public street improvements, if any, adjacent to this site, on Craig Road, and replace with new improvements meeting current City Standards concurrent with on-site development activities.

7. Coordinate with the Collection Systems Planning Section of the Department of Public Works to provide public stubs to the western edge of this development along Pioneer Way to a location and depth acceptable to the City Engineer. All required public sewer easements, if any, necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans, or the issuance of any offsite permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits.

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ITEM

ACTION

Z-0076-01 - J. COBLENTZ 1994 TRUST ET AL ON BEHALF OF KB HOME NEVADA

APPROVED

8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Final Map for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

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ITEM

ACTION

Z-0076-01 - J. COBLENTZ 1994 TRUST ET AL ON BEHALF OF KB HOME NEVADA

APPROVED

9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Final Map, whichever may occur first, if allowed by the Planning Engineer.

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ITEM

ACTION

B-40.

Z-0076-01(1) - J. COBLENTZ 1994 TRUST ET AL ON BEHALF OF KB HOME NEVADA

Request for a Site Development Plan Review FOR A 374-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 63.28 acres adjacent to the southwest corner of Craig Road and Tenaya Way (APN: 138-03-303-001 and 138-03-402-001), R-E (Residence Estates) Zone, U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation], U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], PROPOSED: R-PD5 (Residential Planned Development - 5 Units Per Acre) and R-PD7 (Residential Planned Development - 7 Units Per Acre), Ward 4 (Brown).

NOTICES MAILED 678 [Mailed with Z-0076-01]

APPROVALS 1
1 (Speaker)

PROTESTS 3 (Letters)
5 (Petition)

STAFF RECOMMENDATION: DENIAL. If approved, subject to:

Planning and Development

1. The City Council shall approve a Rezoning (Z-0076-01) to an R-PD7 (Residential Planned Development - 7 Units per Acre) and R-PD5 (Residential Planned Development - 5 Units per Acre) Zoning District.

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Truesdell -

ABEYANCE TO THE NOVEMBER 1, 2001 PLANNING COMMISSION MEETING (Applicant to redesign site). Motion carried with Buckley and McSwain abstaining inasmuch as KB Home Nevada is a client of their firms.

CHAIRMAN GALATI called Item Nos. B-39 and B-40 forward after Item Nos. B-34, B-35 and B-36.

JOEL McCULLOCH, Planning and Development, stated there will be two distinct residential products. The cluster lot portion will consist of 144 units and provide access to lots via 24-foot wide private drives and a primary resident access via 39-foot wide private streets. The remaining portion will consist of 230 lots that will be accessed by 51-foot wide public streets.

The one and two story homes will be constructed of stucco exteriors with decorative accents and concrete tile roofs. The landscape plan indicates a total of 293,594 square feet of open space. The majority of the open space will be located in the cluster lot portion of the development and no pedestrian access is provided between the open space and the other portions of the site. The open space that is indicated is not feasible for recreational facilities as it is depicted surrounding the cluster lot homes in either small pods of open space or narrow 25 foot wide strips between the housing units. There is a condition to redesign the site plan to provide recreational facilities that are centrally located to the site, as well as provide pedestrian access to and from the cluster lot portion to the large lot area.

The lots sizes range from 2,100 square feet to 2,775 square feet. Those lot sizes are smaller than those permitted in the adjacent R-CL minimum 3,500 square foot lots and the R-1 minimum 6,500 square foot lots. That creates a more dense subdivision than in the adjacent subdivisions.

Therefore, staff does not find the proposed development is compatible with the adjacent development in the area and recommended denial.

Staff recommended denial.

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ACTION

Z-0076-01(1) - J. COBLENTZ 1994 TRUST ET AL ON BEHALF OF KB HOME NEVADA

4. Revise the site plan to redistribute open space as required by Section 19A.06.040 of the Las Vegas Zoning Code and provide a pedestrian access to/from the cluster lot portion.

5. One Hundred percent of open space/common space shall be installed at the time 75% of the houses are built.

6. Construct the multi-use trail located on the east side of Pioneer Way to City standards, which includes a ten-foot wide PCC (Portland cement concrete) path with five-foot wide landscape planters on each side of the trail. The trail shall be constructed concurrent with development of this site.

7. Provide handicap accessible parking in the cluster lot portion to meet the requirements of Section 19A.10.010.

8. The setbacks for this development shall be as follows: Cluster lots - minimum of 18 feet to the front of the garage, as measured from the back of curb or sidewalk, 5 feet on the side, 10 feet on the corner side, and 2 feet in the rear (if a wall/enclosure is provided than 3 feet minimum setback required). Typical lots – minimum of 18 feet to the front of the garage, as measured from the back of curb or sidewalk, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear

9. The landscape plan shall be revised prior to or at the same time application is made for a building permit to reflect compliance with the City of Las Vegas Urban Design Guidelines and Standards (minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters).

10. Air conditioning units shall not be mounted on rooftops.

RUSSELL SKUSE, Tetra Tech, Inc., 401 North Buffalo Drive, concurred with staff on the rezoning. This is a good plan for the area and the cluster lot product is new in Las Vegas. They will have 24-foot wide private drives and garages that face internal to that drive. There will be a 28 to 30 foot separation between houses. In regard to Condition No. 4, they feel they have met the required open space. There will be a 30-foot trail along Pioneer Way, which will connect to Bunker Park. Another concern in regard to Condition No. 4 is that since the cluster is a private gated community it is not necessary to provide a pedestrian access from a private area. There is no homeowners association for the single family detached.

MR. McCULLOCH added that there is no open space in the area that is all single family detached and no access between the cluster product and the single family detached. The cluster product has the majority of the open space for the overall site.

ROBERT GENZER, Planning and Development, suggested holding the Site Development Plan Review and go forward on the Zone change to resolve some of the issues.

MR. SKUSE agreed to have this Site Development Plan Review held in abeyance.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in protest. He was concerned about using a public park as their open space requirement. At Craig and Tenaya there are bike trails. Can the applicant be prohibited from having cluster homes in a portion rather than open space?

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Z-0076-01(1) - J. COBLENTZ 1994 TRUST ET AL ON BEHALF OF KB HOME NEVADA

11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.

12. The applicant shall have constructed a six-foot high decorative block wall, with at least 20 percent contrasting materials, along the street frontages. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed street layout, including possible relocation or median modifications to address offset concerns for the northern most private street, prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222a.

16. A Master Streetlight plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.

MR. McCULLOCH said the applicant cannot use a public park as their open space. This project does not go to Craig and what is shown on a map is just boundary lines. There is no prohibition from having cluster homes rather than open space.

CHAIRMAN GALATI declared the Public Hearing closed.

NOTE: See Item No. B-39 for related discussion.

To be heard by the Planning Commission on November 1, 2001.

(10:23 - 10:42) 3 - 1950

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ACTION

Z-0076-01(1) - J. COBLENTZ 1994 TRUST ET AL ON BEHALF OF KB HOME NEVADA

ABEYANCE TO NOVEMBER 1, 2001

17. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections. The CC&R's for the Homeowner's Association shall be submitted to and approved by the City Attorney's Office.

18. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

19. The final layout of this site shall be determined at the time of approval of the Tentative Map. Final right-of-way requirements will be determined at that time.

20. Site development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-76-01, on this same agenda, and all other subsequent site-related actions.

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ITEM

ACTION

B-41.

**Z-0078-01 - BUREAU OF LAND
MANAGEMENT ON BEHALF OF CLARK
COUNTY SCHOOL DISTRICT**

Request for a Rezoning FROM: R-E (Residence Estates) Zone TO: C-V (Civic) Zone on approximately 30 acres located at the northeast corner of Brent Lane and Tee Pee Lane (APN: 125-07-501-002), PROPOSED USE: ELEMENTARY SCHOOL, Ward 6 (Mack).

ON OCTOBER 10, 2001, THE APPLICANT REQUESTED ABEYANCE TO THE NOVEMBER 1, 2001 PLANNING COMMISSION MEETING IN ORDER TO SUBMIT A REVISED SITE PLAN. STAFF RECOMMENDED THIS ITEM BE HELD IN ABEYANCE TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING, IN ORDER FOR THE APPLICATION TO REMAIN WITH THE SAME PLANNING COMMISSION TEAM.

McSwain -

ABEYANCE ITEM NOS. B-41 AND B-42 TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING (Applicant to provide staff with revised site plan).

Motion carried with Galati abstaining inasmuch as the Clark County School District is a client of his firm and Quinn abstaining inasmuch as his firm is involved in litigation with the Clark County School District.

JOEL McCULLOCH, Planning and Development, stated that on October 10, 2001 the applicant requested these items be held in abeyance to the November 1, 2001 Planning Commission meeting in order to revise the site plan. Staff requested these items be held in abeyance to the November 15, 2001 meeting.

MATT McCROIX, Clark County School District, 4212 Eucalyptus Annex, said he concurred with having Item Nos. B-41 and B-42 held to the November 15, 2001 meeting.

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

There was no one present wishing to speak on this item.

VICE CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item No. B-42.

To be heard by the Planning Commission on November 15, 2001.

(6:21 - 6:23) 1 - 395

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ITEM

ACTION

B-42.

**Z-0078-01(1) - BUREAU OF LAND
MANAGEMENT ON BEHALF OF CLARK
COUNTY SCHOOL DISTRICT**

Request for a Site Development Plan Review for two (2) Elementary Schools on approximately 30 acres located at the northeast corner of Brent Lane and Tee Pee Lane (APN: 125-07-501-002), R-E (Residence Estates) Zone, PROPOSED: C-V (Civic) Zone, Ward 6 (Mack).

ON OCTOBER 10, 2001, THE APPLICANT REQUESTED ABEYANCE TO THE NOVEMBER 1, 2001 PLANNING COMMISSION MEETING IN ORDER TO SUBMIT A REVISED SITE PLAN. STAFF RECOMMENDED THIS ITEM BE HELD IN ABEYANCE TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING, IN ORDER FOR THE APPLICATION TO REMAIN WITH THE SAME PLANNING COMMISSION TEAM.

McSwain -

ABEYANCE ITEM NOS. B-41 AND B-42 TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING (Applicant to provide staff with revised site plan).

Motion carried with Galati abstaining inasmuch as the Clark County School District is a client of his firm and Quinn abstaining inasmuch as his firm is involved in litigation with the Clark County School District.

JOEL McCULLOCH, Planning and Development, stated that on October 10, 2001 the applicant requested these items be held in abeyance to the November 1, 2001 Planning Commission meeting in order to revise the site plan. Staff requested these items be held in abeyance to the November 15, 2001 meeting.

MATT McCROIX, Clark County School District, 4212 Eucalyptus Annex, said he concurred with having Item Nos. B-41 and B-42 held to the November 15, 2001 meeting.

VICE CHAIRMAN TRUESDELL declared the Public Hearing open.

There was no one present wishing to speak on this item.

VICE CHAIRMAN TRUESDELL declared the Public Hearing closed.

NOTE: See related Item No. B-41.

To be heard by the Planning Commission on November 15, 2001.

(6:21 - 6:23) 1 - 395

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ITEM

ACTION

B-43.

**U-0131-01 - HADLEY ENTERPRISES
RESTAURANT FUND ON BEHALF OF SHOW
MEDIA, LIMITED LIABILITY COMPANY**

Request for a Special Use Permit FOR ONE (1) 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the north side of Sahara Avenue approximately 270 feet east of Rainbow Boulevard (APN: 163-02-415-014), C-1 (Service Commercial) Zone, Ward 1 (M. McDonald).

NOTICES MAILED 56

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: DENIAL. If approved, subject to:

Planning and Development

1. The off-premise advertising sign (billboard) supporting structure shall be redesigned to finish materials to complement the existing on-site building. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. The Special Use Permit shall be reviewed in two years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

**Truesdell -
ABEYANCE TO THE NOVEMBER 15, 2001 PLANNING
COMMISSION MEETING.**

Unanimous

JOEL McCULLOCH, Planning and Development, stated that staff received a request today to have this item held in abeyance because the applicant is unable to attend this meeting.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the Planning Commission on November 15, 2001.

(6:23 - 6:24) 1 - 478

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ITEM

ACTION

**U-0131-01 - HADLEY ENTERPRISES
RESTAURANT FUND ON BEHALF OF SHOW
MEDIA, LIMITED LIABILITY COMPANY**

ABEYANCE TO NOVEMBER 15, 2001

4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

5. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

6. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

7. The final location of the proposed billboard shall meet the approval of the Traffic Engineering Division.

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ITEM

ACTION

B-44.

U-0132-01 - POKROY N&E 1993 LIVING TRUST, ET AL ON BEHALF OF LAMAR OUTDOOR ADVERTISING

Request for a Special Use Permit FOR ONE (1) 14 FOOT X 48 FOOT OFF PREMISE ADVERTISING SIGN (BILLBOARD) at 2395 N. Rancho Drive (APN: 139-19-102-001), C-2 (General Commercial) Zone, Ward 5 (Weekly).

NOTICES MAILED 44

APPROVALS 0

PROTESTS 1 (Letter)

CONCERNS 1 (Speaker)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The off-premise advertising sign (billboard) supporting structure shall be redesigned to depict support structure finish in stucco painted to match or complement the colors of the existing convenience store on the site. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

2. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

**Goynes -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous**

CHAIRMAN GALATI called this item forward after Item Nos. B-39 and B-40.

LAURA MARTIN, Planning and Development, stated this use is consistent with the range of intense commercial uses allowed under the C-2 zoning district along this portion of Rancho Drive. Staff recommended approval, subject to the conditions.

KELLEEN COTA, Lamar Outdoor Advertising, 1863 Helm Drive, agreed to the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared as a concerned citizen. He asked if there are automatic reviews or if they are placed on the application by the Commission.

ROBERT GENZER, Planning and Development, responded that this application will have a two (2) year review placed on it.

CHAIRMAN GALATI declared the Public Hearing closed.

MS. COTA added that there was a billboard on this property in the past that was removed because gas tanks were put in and it was an old structure.

HARSH SIDHU, 4537 Special Court, added that a new building was being constructed and there was a concern that it would interfere with the footings of the billboard.

To be heard by the City Council on December 5, 2001.

(10:42 - 10:46) 3 - 2775

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ITEM

ACTION

U-0132-01 - POKROY N&E 1993 LIVING TRUST, ET AL ON BEHALF OF LAMAR OUTDOOR ADVERTISING

APPROVED

3. If the existing off-premise advertising (billboard) sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising (billboard) structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.

4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) signs.

5. The applicant must file Form 7460-1 with the Federal Aviation Administration and must obtain either a permit from the Clark County Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment prior to construction of any of the proposed off-premise advertising (billboard) sign structures.

Public Works

6. The final location of the proposed billboard shall meet the approval of the Traffic Engineering Division.

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ITEM

ACTION

B-45.

U-0133-01 - MARK MINTZ

Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB (On Fremont) at 2100 Fremont Street (APN: 139-35-803-015), C-2 (General Commercial) Zone, Ward 5 (Weekly).

NOTICES MAILED 574

APPROVALS 1 (Speaker)

PROTESTS 1 (Letter)

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of this Special Use Permit does not constitute approval of a liquor license.

2. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

3. If this Special Use Permit is not exercised within one year after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.

4. All City Code requirements and all City departments' design standards shall be met.

Public Works

5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site.

Goynes -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous**

JOEL McCULLOCH, Planning and Development, stated this supper club can be operated in a manner that is harmonious and compatible with the existing commercial sites in the area. There are no protected uses within 400 feet of this location. Staff recommended approval, subject to the conditions.

ALLAN ROSE, 7409 Painted Shadows Way, appeared on behalf of the applicant and concurred with staff's conditions. This will be for lunches and fine dining.

CHAIRMAN GALATI declared the Public Hearing open.

TODD FARLOW, 240 North 19th Street, appeared in approval. That used to be a supper club.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER TRUEDELL asked why there will be a stage.

MR. ROSE replied that there will be live music.

ROBERT GENZER, Planning and Development, added that staff is working with the applicant to resolve any outstanding issues, but the applicant will need a Special Use Permit for the supper club.

To be heard by the City Council on November 21, 2001.

(10:46 - 10:50) 3 - 2970

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ITEM

ACTION

U-0133-01 - MARK MINTZ

APPROVED

6. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a, and shall also comply with Nevada Department of Transportation requirements.

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis.

No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

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ACTION

U-0133-01 - MARK MINTZ

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

8. Obtain an Occupancy Permit for all landscaping and private improvements in the Charleston Boulevard and Fremont Street public rights-of-way adjacent to this site as required by the Department of Public Works.

APPROVED

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ITEM

ACTION

B-46.

Z-0031-73(16) - RANDALL PIKE ON BEHALF OF CHRISTOPHER TILMAN

Request for a Site Development Plan Review and Reduction of perimeter landscaping requirements FOR A PROPOSED 950 SQUARE FOOT OFFICE at 1211 S. Maryland Parkway (APN: 162-02-115-058), R-1 (Single Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking) Zone, Ward 3 (Reese).

ON OCTOBER 11, 2001 THE APPLICANT REQUESTED THIS BE HELD IN ABEYANCE TO THE NOVEMBER 1, 2001 PLANNING COMMISSION MEETING TO SUBMIT REVISED SITE PLANS.

Truesdell -

ABEYANCE TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING AND APPLICATION TO BE FINAL ACTION (Applicant to revise site plan).

Unanimous

JOEL McCULLOCH, Planning and Development, stated that on October 15, 2001 the applicant requested this item be held in abeyance until the November 1, 2001 Planning Commission meeting to submit revised site plans to staff. Staff would like to have this item held to the November 15, 2001 meeting.

CHRISTOPHER TILMAN, 1211 South Maryland Parkway, concurred with staff to have this item held to the November 15, 2001 meeting.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

CHRIS GLORE, Planning and Development, suggested that this item could be Final Action at the November 15, 2001 Planning Commission meeting.

To be heard by the Planning Commission on November 15, 2001.

(6:24 - 6:28) 1 - 509

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ITEM

ACTION

B-47.

**Z-0093-93(2) - CITY OF LAS VEGAS
REDEVELOPMENT AGENCY ON BEHALF OF
NUCLEUS PLAZA**

Request for a Site Development Plan Review FOR AN 84,350 SQUARE FOOT ADDITION TO AN EXISTING RETAIL CENTER (EDMOND TOWN CENTER) AND A REDUCTION OF THE MINIMUM PARKING LOT LANDSCAPE REQUIREMENTS on 11.2 acres located adjacent to the southwest corner of Owens Avenue and H Street (APN: 139-28-503-005 and 017), C-1 (Limited Commercial) Zone and R-3 (Medium Density Residential) Zone Under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

NOTICES MAILED 161

APPROVALS 0

PROTESTS 2 (Speakers)

STAFF RECOMMENDATION: APPROVAL,
subject to:

Planning and Development

1. The site plan shall be revised to depict handicap accessible parking spaces that are in conformance with Section 19A.10.010(G) of the Las Vegas Zoning Code, including the provision of one 'van accessible' handicap parking space.

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

Goynes -

APPROVED, SUBJECT TO STAFF'S CONDITIONS AND AMENDED CONDITION NOS. 10, 11 AND 13 AS STATED BY PUBLIC WORKS.

Unanimous

CHAIRMAN GALATI called this item forward after Item No. B-45.

JOEL McCULLOCH, Planning and Development, stated this site plan depicts an orderly placement of drive aisles and buildings. There are an insufficient number of handicapped parking stalls, so he recommended a condition requiring a revised site plan depicting 11 stalls with one being van accessible. Staff recommended approval, subject to the conditions.

NELSON STONE, WLB Group, 2551 North Green Valley Parkway, Henderson, Nevada appeared on behalf of the applicant. He concurred with the conditions. They would like to have earlier grading.

DAPHNEE LEGARZA, Public Works, read amended conditions as follows:

Condition No. 10: Coordinate with the City Surveyor to determine whether a Reversionary Map to revert the underlying lot lines to acreage is necessary. Such Reversionary Map, if required, shall be recorded prior to the issuance of any building permits overlying the easements to be vacated.

Condition No. 11: Submit a Vacation application to vacate all public utility easements in conflict with this site plan. Such Vacation shall be recorded prior to the issuance of any building permits overlying the easements to be vacated.

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**Z-0093-93(2) - CITY OF LAS VEGAS
REDEVELOPMENT AGENCY ON BEHALF OF
NUCLEUS PLAZA**

4. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

5. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

6. A Master Sign Plan shall be approved by the Planning Commission prior to the issuance of any business license on the property.

7. All City Code requirements and design standards of all City departments must be satisfied.

8. If not already existing, the applicant shall construct a six-foot high decorative block wall, with at least 20 percent contrasting materials, along the side and rear property lines. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

9. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

Condition No. 13: Coordinate with the Collection Systems Planning Section of the Department of Public Works to provide public sewer service to this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any building permits. Improvement drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

MR. STONE agreed to the amended conditions.

ROBB LANCASTER, 1640 West Alta Drive, appeared to represent the application. This is a redevelopment project in West Las Vegas that has been in the process since 1994. It is basically an expansion of a retail center.

CHAIRMAN GALATI declared the Public Hearing open.

ALPHONSE MCCLOED, 1628 North G Street, appeared in protest. He does not want to lose his house because of this project.

RODELMAS BELL, 1631 North G Street, appeared in protest.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER TRUESDELL asked if there would be wrought iron fencing around the entire site. MR. LANCASTER responded that the fence has been removed.

COMMISSIONER GOYNES asked what is contemplated for the reduction in landscaping.

MR. NELSON said they are trying to match the character of this site to the existing site on the west.

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**Z-0093-93(2) - CITY OF LAS VEGAS
REDEVELOPMENT AGENCY ON BEHALF OF
NUCLEUS PLAZA**

Public Works

10. Coordinate with the City Surveyor to determine whether a Reversionary Map to revert the underlying lot lines to acreage is necessary. Such Reversionary Map, if required, shall be recorded prior to the issuance of any building or grading permits overlying the easements to be vacated.

11. Submit a Vacation Application to vacate all public utility easements in conflict with this site plan. Such Vacation shall be recorded prior to the issuance of any building or grading permits overlying the easements to be vacated.

12. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, as required by the City Engineer, and replace with new improvements meeting current City Standards prior to occupancy of this site.

13. Coordinate with the Collection Systems Planning Section of the Department of Public Works to provide public sewer service to this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

MR. McCULLOCH said staff is requiring that the landscaping match what was approved under Phase 1 of this project.

MR. GOYNES felt this will be an improvement for the area. There is going to be an addition to the Von's store. This will not have any bearing on the protestants house.

This is final action.

(10:50 - 10:59) 3 - 3210

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**Z-0093-93(2) - CITY OF LAS VEGAS
REDEVELOPMENT AGENCY ON BEHALF OF
NUCLEUS PLAZA**

APPROVED

15. A Traffic Impact Analysis or other information acceptable to the Traffic Engineer must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings for this site whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

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ACTION

**Z-0093-93(2) - CITY OF LAS VEGAS
REDEVELOPMENT AGENCY ON BEHALF OF
NUCLEUS PLAZA**

APPROVED

16. A Drainage Plan and Technical Drainage Study or other information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits whichever may occur first, if allowed by the City Engineer.

17. Site Development to comply with all applicable Conditions of Approval for Zoning Reclassification Z-93-93 and all subsequent site-related actions.

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ITEM

ACTION

B-48.

**VAC-0032-01 - TRINITY UNITED
METHODIST CHURCH**

Petition to vacate an excess portion of Jones Boulevard generally located west of Jones Boulevard, north of Transverse Drive, Ward 1 (M. McDonald).

NOTICES MAILED 3

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

1. All development shall be in conformance with code requirements and design standards of all City Departments. (Planning and Development Department)

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. (Planning and Development Department)

3. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation. (Public Works Department)

Truesdell -

APPROVED, SUBJECT TO STAFF'S CONDITIONS.

Motion carried with Buckley abstaining as a partner in his law firm is involved with this application.

DAPHNEE LEGARZA, Planning and Development, stated this is an old street alignment that was dedicated, but not constructed. Once the Order of Vacation is recorded it will be incorporated into the adjacent developed parcel to the north. This Vacation of public right-of-way will not eliminate public access to any abutting parcel. Staff recommended approval, subject to the conditions.

JOEL McCULLOCH, Planning and Development, stated the applicant concurs with the conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the City Council on December 5, 2001.

(6:33 - 6:35) 1 - 800

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ACTION

VAC-0032-01 - TRINITY UNITED
METHODIST CHURCH

APPROVED

4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #3 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all Vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. (Public Works Department)

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted. (Planning and Development Department)

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ITEM

ACTION

B-49.

VAC-0033-01 - WARMINGTON HOMES NEVADA

Petition to vacate U.S. Government Patent Easements generally located south of Alexander Road, west of Hualapai Way, Ward 4 (Brown).

NOTICES MAILED 2

APPROVALS 0

PROTESTS 0

STAFF RECOMMENDATION: APPROVAL, subject to:

1. This Vacation Application shall be revised to exclude the 25-foot drainage right-of-way along the north side of Gilmore Avenue. (*Public Works Department*)

2. All development shall be in conformance with code requirements and design standards of all City departments. (*Planning and Development*)

3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. (*Planning and Development*)

4. All improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment. (*Public Works Department*)

McSwain -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NO. 3 DELETED AND CONDITION NO. 6 BECOMING THE NEW CONDITION NO. 3.

Unanimous

CHAIRMAN GALATI called this item forward after Item No. B-47.

LAURA MARTIN, Planning and Development, stated the applicant intends to incorporate these patent reservations into adjacent developments. This will not result in a reduce traffic handling capability or result in any landlocked parcels. Staff recommended approval, subject to the conditions.

JEFFREY ARMSTRONG, VTN Nevada, 2727 South Rainbow Boulevard, appeared to represent the applicant. He concurred with staff's conditions.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

ROBERT GENZER, Planning and Development, stated that Condition No. 3 should be deleted and Condition No. 6 should become Condition No. 3, which would make a total of six conditions.

To be heard by the City Council on December 5, 2001.

(10:59 - 11:01) 3 - 3800

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ITEM

ACTION

VAC-0033-01 - WARMINGTON HOMES
NEVADA

APPROVED

5. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that Condition #4 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all Vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained. *(Public Works Department)*

6. Development of this site shall comply with all applicable Conditions of Approval for the Lone Mountain Condominiums Tentative Map, Zoning Reclassification (Z-0033-97) and all other subsequent site-related actions. *(Public Works Department)*

7. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council or the Planning Commission does not grant an Extension of Time, then approval will terminate and a new petition must be submitted. *(Planning and Development)*

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ACTION

C.

NON PUBLIC HEARING ITEMS:

C-1.

Z-0066-99(2) - NIKOLA AND ELEANOR MILCHEV REVOCABLE LIVING TRUST ON BEHALF OF AFFLECK ENTERPRISES

Request for a Site Development Plan Review FOR A PROPOSED 95-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 5.29 acres at 4093 East Owens Avenue (APN: 140-30-503-001), R-E (Residence Estates) Zone under Resolution of Intent to R-3 (Medium Density Residential) Zone, Ward 3 (Reese).

STAFF RECOMMENDATION:

Planning and Development

1. Site development shall comply with all applicable Conditions of Approval for Zoning Reclassification Z-0066-99 and all other site-related actions as required by the Planning and Development and Public Works Departments.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised to locate the apartment buildings with the minimum setbacks required under Residential Adjacency Standards.
5. The landscape plan shall be revised to depict a minimum of three 24 inch box trees within the landscape planter depicted between the rear of each building and adjacent parking spaces and the provide 6'-0" wide landscape planters on the south and west property lines.

Goynes -

APPROVED, SUBJECT TO STAFF'S CONDITIONS WITH CONDITION NOS. 4, 5 AND 6 DELETED.

Unanimous

JOEL McCULLOCH, Planning and Development, stated that on April 19, 2000 the City Council approved a rezoning, General Plan Amendment and Site Development Plan Review for this project. Previously the Planning Commission had approved a Site Development Plan Review for the multi family. The applicant was under the impression that when he went to the City Council that the Site Development Plan Review had been approved, but there was a condition placed on the Rezoning application that they needed it approved by the Planning Commission. There were changes made between the Planning Commission and City Council on the Site Development Plan Review and this request is what the Councilman for the area requested this project to reflect. This project presents an orderly depiction of buildings and parking areas and fits the character of the area. Staff recommended approval, subject to the conditions with Condition Nos. 4, 5 and 6 be deleted.

LYNN AFFLECK, Affleck Enterprises, 4987 Idaho Avenue, concurred with the deletion of Condition Nos. 4, 5 and 6.

This is final action.

(11:01 - 11:04) 4 - 110

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ACTION

**Z-0066-99(2) - NIKOLA AND ELEANOR
MILCHEV REVOCABLE LIVING TRUST ON
BEHALF OF AFFLECK ENTERPRISES**

APPROVED

6. The site plan shall be revised to locate the community facilities to a more centrally accessible part of the site.

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

8. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).

9. Parking lot lighting standards shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.

10. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

11. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, or prior to occupancy, whichever occurs first.

12. The applicant shall have constructed a six-foot high decorative block wall, with at least 20 percent contrasting materials, along the entire east property boundary and along other site boundaries if the existing wall is structurally compromised.

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**Z-0066-99(2) - NIKOLA AND ELEANOR
MILCHEV REVOCABLE LIVING TRUST ON
BEHALF OF AFFLECK ENTERPRISES**

APPROVED

Public Works

13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site.

14. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

15. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted

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**Z-0066-99(2) - NIKOLA AND ELEANOR
MILCHEV REVOCABLE LIVING TRUST ON
BEHALF OF AFFLECK ENTERPRISES**

APPROVED

as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any Condition of Approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

16. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved drainage plan/study and shall

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**Z-0066-99(2) - NIKOLA AND ELEANOR
MILCHEV REVOCABLE LIVING TRUST ON
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be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map for this site, whichever may occur first, if allowed by the City Engineer.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

APPROVED

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ITEM

ACTION

C-2.

**SD-0060-01 - LAFAYETTE OR DELORES
MOSELEY ON BEHALF OF CHURCH OF GOD
CHRIST PRAISE TEMPLE**

Request for a Site Development Plan Review FOR A 24 FOOT BY 60 FOOT TEMPORARY MODULAR TRAILER at 304 Madison Avenue (APN: 139-27-211-006), R-4 (High Density Residential) Zone, Ward 5 (Weekly).

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. The proposed temporary structure shall be permitted on the site for a period not to exceed twelve (12) months, or until such time as permanent facilities have been constructed to replace the temporary buildings, unless an Extension of Time is approved by the City Council.

2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

3. Appropriate ground cover shall be provided in conjunction with the temporary use for dust control purposes.

4. The exterior of the proposed modular building shall be painted to match the color of the exteriors of the existing permanent buildings on the site.

5. All development shall conform to the Conditions of Approval for Special Use Permit and Site Development Plan Review (U-0074-00) as required by the Planning and Development and Public Works Department.

**Goynes -
APPROVED, SUBJECT TO STAFF'S CONDITIONS.
Unanimous**

JOEL McCULLOCH, Planning and Development, stated the applicant is proposing a modular building to be used until the permanent church is completed. The parking areas and landscaping as part of the permanent structure are to be put in place prior to permits being pulled. Staff recommended approval, subject to the conditions.

TEDDY MAY, General Contractor, 1151 Shady Run Terrace, Henderson, Nevada represented the church. He agreed with the conditions. They are still working on the financing. This is one lot from the corner, but they have parking on the corner. They have to tear down the existing church to build the new church.

COMMISSIONER GOYNES noted that there are about 10 churches within a three or four block radius.

This is final action.

(11:04 - 11:08) 4 - 215

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ACTION

**SD-0060-01 - LAFAYETTE OR DELORES
MOSELEY ON BEHALF OF CHURCH OF GOD
CHRIST PRAISE TEMPLE**

APPROVED

6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

7. Perimeter landscaping required as a part of the Special Use Permit and Site Development Plan Review (U-0074-00) must be installed prior to the issuance of a Certificate of Occupancy.

8. Parking required as a part of the Special Use Permit and Site Development Plan Review (U-0074-00) must be provided prior to the issuance of a Certificate of Occupancy.

Public Works

9. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All new driveways or modifications to existing driveways should be designed, located and constructed to meet the intent of Standard Drawing #222a unless otherwise allowed by the Traffic Engineering Division.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

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ACTION

D.

DIRECTOR'S BUSINESS:

D-1.

ABEYANCE - TA-0029-01 - CITY OF LAS VEGAS

Discussion and possible action to amend the City of Las Vegas Zoning Code Title 19A.06.060 Downtown Overlay District to add an overlay district with specific standards for off-premise signs within the block bounded by Ogden Avenue on the north, Las Vegas Boulevard on the east, Fremont Street on the south, and Fourth Street on the west, Ward 5 (Weekly).

APPROVALS 2 (Speakers)

PROTESTS 0

STAFF RECOMMENDATION: NO RECOMMENDATION. If Approved, Amend Title 19A as follows:

1. Amend Title 19A.06.060 Downtown Overlay District to add the following subsection:

D. Special Sign Overlay District

In order to allow maximum flexibility in placement of exterior signage on and around the Neonopolis retail and entertainment center, specific standards for signs within the block bounded by Ogden Avenue on the north, Las Vegas Boulevard on the east, Fremont Street on the south, and Fourth Street on the west are exempt from the automatic application of certain signage requirements and limitations in Subchapter 19A.14.050, Subchapter 19A.14.090, and Subchapter 19A.14.100. However, the exemption of does not prohibit City staff, The Planning Commission, and the City Council from imposing limitations on the approval of a Site Development Plan Review of a Master Sign Plan review. Following are limitations on signage within the Special Sign Overlay District; where these requirements do not address requirements and standards regarding signage, the requirements and standards Subchapter 19A.14.050, Subchapter 19A.14.090, and Subchapter 19A.14.100 apply.

Truesdell -

TABLED.

Unanimous

CHAIRMAN GALATI called this item forward after Item Nos. B-2, B-3 and B-4 were heard.

JOEL McCULLOCH, Planning and Development, stated the following was added since this item was previously heard:

7. A minimum of one third (33%) of the total allowable off-premise signage area shall be animated or electronic.

Special Sign Overlay District Expansion

1. Off-premise signage otherwise in compliance with the standards and limitation in Subsection D may be allowed by approval of a Special Use Permit provided further that the subject property shall be in conformance with the standards of Municipal Code 6.40 in effect as of the date of the adoption of this ordinance.

GENE SISCO, Development by Design, 116 B North 3rd Street, appeared to represent World Entertainment Centers, and reported that there was a meeting with Commissioners Truesdell and Galati on architectural issues. As a result, the Neonopolis has made additional proposals to this project as follows:

1. There will be a deed restriction on the property/project that will limit certain types of off-premises advertising, including pornographic materials, tobacco, strip advertising for casino events on the wall mounted static signs.

2. There will be a deed restriction on the property/project that will minimize the time that wall mounted signs would be left vacant and within two weeks advertising of on-premises content for beautiful graphics would take place for any signs that were empty at that time.

3. Eliminate 27% of the total square footage relative to certain signs, including four large signs to eliminate those in their entirety.

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ABEYANCE - TA-0029-01 - CITY OF LAS VEGAS

1. Off-premise sign surface area shall not exceed of 1,250 square feet per sign.

2. The separation distance between off-premise signs shall not be less than five (5) feet.

3. Off-premise signs shall be no higher than 83 feet above grade.

4. Off-premise signs and on-premise wall signs may be permitted to encroach into public rights-of-way, a maximum of 8 feet, subject to the approval of an Encroachment Permit.

5. Off-premise signs may be permitted to be placed on the building rooftop. Rooftop project identification signs shall not exceed 864 square feet in area, and shall be limited to a maximum of two (2).

6. On-premise wall signs may be permitted to project a maximum of 8 feet beyond the top or sides of the building wall to which the sign is attached.

7. A minimum of one third (33%) of the total allowable off-premise signage area shall be animated or electronic.

2. Any expansion of this Overlay District shall also include the following amendments to Title 19A.06.060:

Special Sign Overlay District Expansion

1. Off-premise signage otherwise in compliance with the standards and limitation in subsection D. may be allowed by approval of a Special Use Permit provided further that the subject property shall be in conformance with the standards of Municipal Code 6.40 in effect as of the date of the adoption of this ordinance.

4. There would be language restricting the amount of advertising to no more than 40 minutes of advertising per hour. The other 20 minutes would be intended to increase community interest that could educate and entertain the general public and promote the City of Las Vegas community events.

CHAIRMAN GALATI declared the Public Hearing open.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, appeared to represent the Nevada Outdoor Media Association. That Association comprises most of the outdoor companies that are doing business in Southern Nevada. They are willing to work with staff, but did not have an opportunity to meet with them on this proposed ordinance. They have concerns about designing sign standards that only apply to one project. It should be standards that are applied city-wide or district-wide. There is a tourist corridor where it might be appropriate to allow some off-premise signs to be wall mounted or do something different than what the code allows. An overall review of the area would be more appropriate. This is a poor policy and could be unconstitutional.

TOM MCGOWAN, Citizen of Las Vegas, appeared in approval. This is a unique project. He asked for more details on Neonopolis such as restaurants, their size, theaters, their size, etc. There should be a public handout. He wondered how the canopy will be extended over this property since it is irregularly shaped.

TODD FARLOW, 240 North 19th Street, appeared in approval. Something had to be done with this property. There might be some legal issues. This is a beautiful project.

CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER BUCKLEY felt the downtown area is unique and if there is any Overlay District it should just be heard as a basic aesthetic review. This is setting a bad precedent to single out a particular area. The City needs to have guidelines as to the aesthetics. There needs to be a greater input from everyone that is affected.

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ABEYANCE - TA-0029-01 - CITY OF LAS VEGAS

COMMISSIONER McSWAIN noted that she was not only concerned about the appearance of the signs, but wanted to see the artwork that is being proposed for the signs.

COMMISSIONER TRUESDELL thought that if this were an on-premise sign issue he would not object. He wondered if the overlay would include other properties. He would prefer to have this withdrawn and look at the overlay in a broader term.

COMMISSIONER McSWAIN suggested exploring looking at the signs on a scale of the building rather than having actual dimensions.

CHAIRMAN GALATI was unsure if each case should be reviewed individually. He was concerned that this could set a precedent.

COMMISSIONER TRUESDELL suggested tabling this item.

MR. SISCO replied that they are making a one hundred million dollar investment in an area that is not easy to develop.

ROBERT GENZER, Planning and Development, explained that the on-premise portion of the sign plan could be approved under the Master Sign Plan. However, the details that have been submitted pertain more to the off-premise signs rather than to the on-premise.

(7:29 - 7:55) 1 - 3113

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ITEM

ACTION

D-2.

TA-0033-01 - CITY OF LAS VEGAS

Discussion and possible action to Amend Title 19A.04.050 SECOND HAND DEALER to allow in certain circumstances the outdoor display of merchandise.

STAFF REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING.

Truesdell -

ABEYANCE TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING.

Unanimous

JOEL McCULLOCH, Planning and Development, stated staff would like to have this item held in abeyance to the November 15, 2001 Planning Commission meeting in order to circulate the item to City departments.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the Planning Commission on November 15, 2001.

(6:28) 1 - 619

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ACTION

D-3.

TA-0034-01 - CITY OF LAS VEGAS

Discussion and possible action to Amend Title 19A.20.020 ASSISTED LIVING APARTMENT to allow ancillary commercial in conjunction with this use.

STAFF REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING.

Truesdell -

ABEYANCE TO THE NOVEMBER 15, 2001 PLANNING COMMISSION MEETING.

Unanimous

JOEL McCULLOCH, Planning and Development, stated staff would like to have this item held in abeyance to the November 15, 2001 Planning Commission meeting in order to circulate the item to other City departments.

CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN GALATI declared the Public Hearing closed.

To be heard by the Planning Commission on November 15, 2001.

(6:28 - 6:29) 1 - 640

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ACTION

E.

CITIZENS PARTICIPATION:

THE PLANNING COMMISSION CANNOT ACT UPON ITEMS RAISED UNDER THIS PORTION OF THE AGENDA UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

ADJOURNMENT:

/lo

TODD FARLOW, 240 North 19th Street, urged the Commissioners to read Councilman Brown's report in regard to Town Center from yesterday's City Council meeting.

There being no further business to come before the City Planning Commission, the meeting adjourned at 11:09 P.M.

PLANNING AND DEVELOPMENT DEPARTMENT

LINDA OWENS, DEPUTY CITY CLERK